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## The Week.

THE House alone has done any legislative business during the week. The only business of any importance transacted was the passage of the amendatory Bankrupt bill. It makes several unimportant changes, and one change of importance, in the act as now existing. The time in which a bankrupt whose assets do not amount to fifty per cent. of his indebtedness may get a discharge without the consent of his creditors is extended from the 1st of June till the 1st of January, 1869.

The impeachment trial has, during the week, been devoted to speeches on both sides. Of these, Mr. Nelson's for the defence, being delivered by him in the character of a "friend" of the respondent, and having a striking resemblance to several orations on Andrew Johnson's life and services delivered by Andrew Johnson himself, does not merit any notice. Mr. Boutwell, on the other side, spoke with great force and a good deal of fire, but made no new point and developed no new line of argument. He was, however, strong everywhere except in his rhetoric, in which, as is not unusual, he came to grief. He informed the Senate that Andrew Johnson was guiltier than Verres, the Roman proconsul, because the superficial area of Sicily, over which Verres tyrannized, was only ten thousand square miles, while that of the United States, over which Andrew Johnson tyrannized, was many times greater. A gentleman who addresses such an argument as this to a body like the Senate—not to a jury or a mass meeting—can hardly be said to be in a state of mind to qualify him for the position of guide and leader which Mr. Boutwell has so long held. He might just as well measure guilt by the weight in avoirdupois of the criminal as by the extent of the earth's surface over which he had the opportunity of committing crimes. This is not a small criticism. It touches a serious matter—the elementary notions of jurisprudence held by men occupying high public positions and exercising an important influence on legislation at a very grave crisis in national affairs.

Mr. Groesbeck's speech was perhaps the most effective, if not the ablest, that has been made for the defence. He argued that the Senate was a court bound by legal rules and precedents; that the Tenure-of-Office Act did not cover Mr. Stanton's case, and that most of the senators, at the time of its passage, did not believe it did; and that the understanding of all departments of the Government for eighty years had been that the President possessed the power of removal under the Act of 1789, and that as the Tenure-of-Office Act contained no repealing clause, that understanding must be allowed to have weight in the present instance; and, finally, as regards the 10th Article, that the President is entitled, under the Constitution, to say what he pleases, subject, of course, to popular disapproval. Mr. Groesbeck maintains, moreover, that impeachment was intended to be a mode of punishing officers whose tenure is for life, all others being punishable only by the popular refusal to re-elect them. Some of this doctrine is a little too strong to make it necessary to argue against it.

Mr. Thaddeus Stevens has also made a speech, and we were pleased to meet him once more on the solid earth, after his long sojourn in the regions of the supernatural. His argument was close and strong, and some of it novel, and, considering his state of health and his age, was really a remarkable feat. He maintained that if the clause of the Tenure-of-Office Act which fixes the Secretary of War, amongst others, in his office during the term of office of the President by whom he was appointed, and for one month afterwards, does not, as the defence contends, cover Mr. Stanton's case, then the preceding clause, which expressly covers all cases not covered by the last one, certainly includes it, and in either case Mr. Stanton's removal was unlawful. In the remainder of his arguments on this point, Mr. Stevens relied on estoppel, showing, from Mr. Johnson's letter to Mr. McCulloch, that the President acknowledged the applicability of the act to Mr. Stanton's case, and by one of his letters to General Grant that he was determined to keep Mr. Stanton out "whether sustained in the suspension or not." Mr. Stevens relied, for the constitutionality of the act, mainly on the vote of the Senate when it was passed, and threatened with "a gibbet of everlasting obloquy" and "a long and dark track of infamy" any Senator who, having then voted for the bill, would now vote for the President's acquittal on the ground of its unconstitutionality. Some of the moral reflections by which the argument was accompanied were very entertaining, though whether Mr. Stevens meant them to be so we are unable to say—such, for instance, as "How lovely to contemplate what was so assiduously inculcated by a celebrated Pagan into the mind of his son: 'Virtue is truth, and truth is virtue.'" He also complimented Mr. Groesbeck, by assuring him that his peroration reminded him of "the elegance and pathos of a Roman senator pleading for virtue;" but, fearing, perhaps, that Mr. Groesbeck might be too much "set up" by this observation, added that "had he been arguing before the Roman Senate for such a delinquent, and Cato the Censor had been amongst the judges, his client would soon have found himself in the stocks in the middle of the Forum." Mr. Williams followed Mr. Stevens, but contributed nothing new to the discussion. Before our next issue the case will probably be decided.

It is now no longer denied that Arkansas only ratified the new constitution. In Louisiana the Republicans have elected three out of four Congressmen, and the constitution is undoubtedly accepted. From Louisiana the first news spoke of Conservative victories, but this was merely because the agents of the Associated Press throughout the South allow their political hopes to color their telegrams—a state of things

which one would suppose the Associated Press would not endure for a week. Similarly untrustworthy were the first reports from Georgia and North Carolina. But it now seems clear that North Carolina has been carried by the Republicans by a heavy majority in favor of the constitution, and by a good enough majority in favor of W. W. Holden, a much distrusted man, who had to contend against a second Republican candidate as well as against the nominee of the Conservatives. The Republicans elect all the seven Congressmen except one. Mr. Nathaniel Boyden, of Salisbury, beats his Republican opponent. Mr. Boyden is a Massachusetts man, and, though he probably thinks the natural division of mankind is into Whigs and unfortunate Democrats, and is a little mazed by all this pro-slavery and anti-slavery business, yet he is an honest gentleman; was never for a minute a secessionist, never at any time scrupled to tell his fellow-townsmen how utterly wrong they were in their rebellion, and altogether will make a very respectable member of Congress. South Carolina is Republican by some 30,000 majority. Georgia, it seems clear, has given for the new constitution a majority of 10,000, or less. Mr. Bullock, the Republican candidate, is pretty certainly elected; but, so far as we can tell from such returns as have got into print, by a number of votes some thousands less than that given in favor of the constitution. There is little doubt that if General Meade had been removed just on the eve of the election, as Generals Pope and Swayne were on the eve of the Alabama election, Georgia would have gone as Alabama did. It is Meade who has saved it.

Amongst the rumors by which Washington is agitated is one that the Senate will render their verdict by ballot, a result which those who desire to see who the "recreants" are who will "dare" to vote for an acquittal are naturally desirous of preventing. Mr. Sumner has been making an effort to have the practice of the House of Lords—each member rising in his place and saying "guilty" or "not guilty"—adopted as a rule of the Senate, so as to ensure publicity. Although we are not greatly concerned about the matter, and do not believe it will make any serious difference whichever way the vote is taken, there are one or two things connected with the subject which are worth consideration. One is, that if the Senate be a court of justice, there seems no good reason why the senator should not enjoy the same protection for his independence as the juryman—though it may, of course, be said in reply to this that the temptation to vote corruptly in a case of this kind is greater than any to which a juryman is exposed, and that therefore the public eye may prove a stimulus to honesty. The other is that the difference in the constitution of the Senate and of the House of Lords, to which we drew attention some days ago, seems to make the practice of the latter in this particular unsuited to our use. The theory of a peer is, that he is responsible to nobody, and cares nothing for anybody. He represents himself, and is not affected by anybody's censure. Therefore, he runs no risk in giving his verdict publicly and *à voce*. Moreover, the practice of voting openly is essentially a feudal practice. It was unknown in Greece or Rome; it was introduced into politics with feudalism and the rule of the strong hand, and was one of the modes by which the feudal lord not only showed that he was afraid of nobody himself, but saw that his vassals and dependents did their duty to him. The ballot came once more into use when free assemblies began to arise in modern Europe, and it is eminently the free and democratic mode of deciding on all questions which have to be decided by votes, because, with all its drawbacks, no other mode offers the same security for the expression of the voter's real opinion.

Ever since the completion of Mr. Bancroft's treaty with the North German Confederation, settling the effects of American naturalization, doubts have been expressed whether the five years' residence in this country which the treaty requires in order to release a German from his allegiance to his own government, began to run from the date of his landing or the date of his naturalization. Mr. Bancroft took the former view, and now writes that the matter has been fully debated in the North German Parliament, and that Count Bismark has there declared most distinctly that he understood the five years to begin with the emigrant's landing, and that the lapse of this period combined with

naturalization would henceforward release the German American from all claims on the part of the German Government. So the question may now be considered settled, and, thanks to Mr. Bancroft, settled satisfactorily. A similar treaty can, we have no doubt, be negotiated without difficulty with Great Britain, and, this done, we should not only be delivered from further Fenian complications, but from Mr. N. P. Banks's annual speech on the right of expatriation, which is perhaps the most disagreeable feature in the whole controversy.

The *Independent* a fortnight since formally discarded Chief-Justice Chase as the candidate of the Republican party, which it ought to have done about a year and a half sooner, or, in fact, about the time he was first seriously spoken of as a candidate, inasmuch as every argument it ever produced in favor of his claims was absolutely fatal to them. Had it done so, it would have been saved the discredit of seeming to treat him unhandsonely, and of doing the right thing for the wrong reason, which, we regret to say, has now fallen upon it. It throws the unfortunate jurist overboard, simply because the editor came to the conclusion, from a recent conversation with him, that he would not accept a Republican, while he would accept a Democratic nomination, and that he is opposed to impeachment. Whereupon the Chief-Justice has apparently inspired Mr. J. S. Pike with a slashing letter addressed to the *New York Tribune*, and printed in that journal on Saturday, in which the editor of the *Independent* is treated with great roughness, accused both of misrepresentation and want of comprehension, and his charge of willingness to become the Democratic candidate repelled with a judicious mixture of ridicule and indignation. The letter also lets us know by implication what most people guessed a year ago, that the Chief-Justice did not think well of impeachment, that he is in favor of the payment of the public debt in coin, and of the contraction of the currency, and that he is opposed to the military government of the South, and leans toward Mr. Greeley's plan of universal suffrage and universal amnesty. None of these opinions is, of course, in the least dishonorable, and in fact they are all of them opinions which it is not unnatural for a Chief-Justice to hold. We think, however, most of our readers will agree with us when we say the sooner Mr. Chase ceases talking politics with editors and others, and carrying on newspaper controversies with them, the better it will be for his own reputation and the dignity of the office which he fills. The public has discussed his eligibility for the Presidency quite as much as is good for either him or it, and the subject is rendered all the more repulsive by the admirable manner in which he has presided over the impeachment trial. That so good a judge should even think of being anything else than a judge is little short of a scandal.

We were not aware till three or four days ago that there was such a thing as a Sunday edition of the *World*. Our ignorance was due partly to the fact that only three numbers of it had appeared before the 23d of April, and partly to the fact that the Sunday editions of the daily papers being often composed of the refuse matter accumulated during the previous week, we do not look for them with proper eagerness or anxiety. We say all this by way of accounting for the error into which we fell last week in accusing the *World* of having suppressed Mr. G. W. Curtis's speech at the Dickens dinner. The speech appeared in the Sunday edition, and thus we did not see it, although we read the week-day *World* with regularity, and we are not ashamed to say with profit—while warning weaker brethren, however, that the practice might be dangerous for persons less firmly grounded in the faith. As a matter of taste, we think the *World* would have done well to print the speech on Monday, but with the taste of the proceeding we perhaps have no concern. Our business is simply to apologize for our mistake, which we do, and we beg all persons who may have been led by our observations into "reflecting on the influence of newspaper editing on human character," to discard as worthless any conclusions at which they may have arrived, and to begin anew on some other basis.

We cannot any longer conceal from ourselves that the *New York Times* has designs on our veracity. Some months ago it charged us with injustice and inaccuracy in accusing all the morning papers of publishing



certain ridiculous telegrams from the cable newsman, and obliged us, in self-defence, to fill half a column, by way of proof, with names, dates, and circumstances of no sort of interest to the general public, and of which, for this reason, it very properly took no notice. It now says that we have been guilty of "untruth" in saying that the *Tribune* alone published a full report of the Dickens dinner. We are sorry to be obliged to stick to this assertion, with the simple modification that the report was published in the *Sunday World*, of which only two numbers had appeared when the dinner took place, and of which, as we have just explained, we had never heard when we made our remarks. We may also add, that a report in the *Sunday World* or *Times* is not exactly the same thing as a report in either the week-day *World* or *Times*, as is proved by their regular republication on Monday of all reports of importance which have already appeared on Sunday. We had, however, not the least intention of imputing to the *Times* any motive but convenience in curtailing its own report. Of the tendency of the daily press to suppress the speeches of personal or political enemies, we shall call a very good witness, James Parton, writing in the *North American Review* in April, 1866, and we might support him, if the work were not so dirty, with a volume of documentary evidence. However, in order to make our charge less offensive, we shall throw it into a complimentary form, and say that it is extremely remarkable how frequently writers or speakers to whom the conductors of great dailies entertain personal and political dislike are foolish and obscure persons, whose sayings and doings are not worth reporting or noticing at all, or more than very briefly. We must say, however, that one of the great excellences of the *Times* is that illustrations of this "strange coincidence" are never, as far as our observation goes, found in its columns.

The writer of the Cable despatches in London has been putting the newspapers to unnecessary expense during the past week by reporting various things of the "Honorable John Bright." Mr. Bright has no such title, and if he ever had he would long ago have grown out of it into John Bright, which is his present designation. "Honorable" is a term applied in England by courtesy to the sons and daughters of barons, the lowest order in the peerage. Members of the Privy Council are "Right Honorables," but Mr. Bright being neither one nor the other, the title-mongers would do well to let him alone. We have as many "Honorables" and other titular dignitaries ourselves already as any nation can well stand, and if we were to get a fresh supply from amongst the English Radicals we fear something would give way. Many persons in America are now called "Honorable" because they have written an article in the *Washington Intelligencer*, or supplied oysters for the President's "state dinners." There ought to be an end to this folly, especially since our ambassadors have been prohibited from wearing court dress.

There is as yet no news from England as to what the Disraeli ministry mean to do, but it seems to be universally conceded that they cannot save the Irish Church, and that whether they try to save it or abandon it, their fate is certain. Mr. Disraeli's friends seem to consider his lot a hard one in being compelled to meet such a question before he has had a longer enjoyment of the sweets of office, and before the new household voters have had an opportunity of testifying their gratitude to him. But there is little question that the new House of Commons will contain more Radicals than ever, and that he can expect no support from them in the maintenance of a Tory policy. He will probably be pushed to the wall before the session closes. The complete success of the Abyssinian expedition will give the ministry some much needed aid, as it is success achieved in the teeth of the gloomiest forebodings on the part of a large portion of the public. The triumph is heightened by the release in health and safety of all the captives in whose behalf the expedition was undertaken. This will also prove a very important relief to Mr. Ward Hunt, the Chancellor of the Exchequer, whose budget has not thus far proved a success.

The translation of an extraordinary letter from the Pope to the Emperor Francis Joseph has been published in the French papers, in

which his Holiness rates the Emperor soundly for his concessions to liberalism, upbraids him with his desertion of the Church, and with letting the reins of government fly wildly, when he ought to hold them tightly and with a firm hand. He also calls his Majesty's attention to the fact that the Empress is awaiting "a painful and happy event," but does not indicate exactly what bearing this "event" is to have on the question of the abolition of the concordat. The Papal Nuncio in Paris, however, pronounces the letter a forgery, but M. Louis Veuillot, whose authority is considered in ecclesiastical circles as higher than even that of the Nuncio, and to whose hands the Pope, it is believed, occasionally commits the chastisement even of bishops, says that although the Pope may not have written the letter, the sentiments it contains are his. We have elsewhere described the triumph of religious liberty in Austria, and it will consequently be readily seen how little the Pope has to hope for from denunciation.

The trouble between the French clergy and the philosophers still continues. The former have recently addressed a petition to the Senate, calling attention to the fact that some of the professors in the Collège de France, and particularly the medical professors, are teaching the students pure materialism, or, in other words, that thought is simply an excretion of the brain, and that some of the latter have ridiculed some of their patients for wearing crosses. Moreover, a medical diploma lately granted has been revoked by the Minister of Public Instruction, on the ground that traces of materialism had been discovered in the graduate's answers at his examination. This led to an amusing correspondence between the Bishop of Orleans and the doctor, in which the latter informed the bishop that his father was a materialist, and yet a devoted physician; to which the bishop replies, that the father may have been a good man, though of that he was not so sure, but he was not a broad thinker, that his other ancestors were better, and that the present representative of the family would do well to take his opinions from them. That materialism is making progress in France, in circles where it has never hitherto shown itself, there is no denying, and although it is doubtless perfectly proper to prevent its being taught in the schools and colleges supported by the state, the policy of making the repudiation of it a condition of being permitted to practise medicine is more than doubtful. A nascent sect could hardly desire better aid than official persecution.

The attempt to assassinate Prince Alfred in Australia is another of those crimes which have done so much to make Fenianism detestable. It is very likely that the organization properly so-called had nothing to do with it, any more than with the assassination of D'Arcy McGee in Canada; but there is hardly a doubt that it is to the influence of the organization, and of its modes of working on the minds of ignorant men, that we owe all the atrocities its members have committed. It was founded on a swindle; that is, it owed its growth and brief prosperity, including the "mansion" in Union Square, to a system of imposture practised on servant girls and laborers by men of some education. Then, the invasion of Canada by a large horde of adventurers, the sweepings of our great cities, without flag discipline, or organization, by which it struck its first great blow, was the sum of all villainies—murder, robbery, rape, and arson; and the Christian people of this country had the pleasure of seeing the President abused in Republican newspapers for putting a stop to it. The blowing up of the Clerkenwell prison, and the assassination of solitary policemen in Ireland, by which this was followed up, were simply the legitimate result of the preaching of the doctrine that there can be republics without territory, and governments without a name, and military discipline without an army. Once admit that the members of secret associations may incur to unknown chiefs the same obligation of obedience as the soldier of an established government owes to his officer in time of war, and you suspend, as far as they are concerned, all the laws of morality as well as the laws of the land, and it is useless to complain of them afterwards, no matter what they do. Invisible belligerents cannot be bound by the same rules as visible belligerents. As they cannot meet their enemies on the battle-field, they must shoot them in the back or roast them in their houses.

Articles on any of the subjects usually discussed in this Journal will be received from any quarter. If used, they will be liberally paid for; if rejected, they will be returned to the writers on the receipt of the requisite amount of postage stamps.

All Communications which pertain to the literary management of THE NATION should be addressed to the Editor.

### THE PROBABLE EFFECT OF THE IMPEACHMENT TRIAL.

THE anticipation which we, in common with many others, entertained as to the effect of the possible acquittal of Mr. Johnson on the fortunes of the Republican party, must, we think, be somewhat modified, in view of the course things have taken since the trial commenced. Had the expectation of the "original impeachers" been fully realized, and had the President been tried as a political "obstacle," and not as a political criminal, the failure to get rid of him would have been a disaster. Moreover, owing to a combination of circumstances, the trial has produced absolutely no excitement in the public mind. All attempts to make it "sensational" have failed utterly. The articles, the speeches, the evidence have been listened to by the country with perfect calm. It has been found impossible to work people up into anything like fervor about the case. We hear of "tremendous pressure" being brought to bear on the Senate in favor of conviction, but it is not organized pressure from the party at large; most of it, we suspect, comes from individual politicians in search of places. There has been no perceptible addition to the mails, in the shape of letters from imperious constituents; and if there have been any prayers offered up for the President's condemnation, they have been private prayers.

The natural consequence of this absence of excitement, for which, let us add, we have to thank not the politicians or newspapers, but the popular good sense, has been the absence of any disturbance in business or in society. Had the public risen to the same height of moral exaltation as the original impeachers and the Washington correspondents of the party organs, few of us would have passed many nights in bed during the last two months, or had either heart or head for the care of our private affairs. But, owing to the general coolness, not only has the Senate been enabled to conduct the trial with fairness, dignity, and decorum, but the world of trade and commerce has enjoyed unwonted repose. Gold has declined; business has, if anything, showed signs of revival; and owing to the concentration of the attention of the House and Senate on the trial, a temporary stop has been put to the attempts to tinker currency which were so common during the winter. The natural result of this general repose has been to deprive the impeachment, in the public eye, of most of its obnoxious features. Although we are satisfied few, if any, of those who before it was commenced thought it inexpedient, now think differently, nobody considers it as dangerous as he once did. Moreover, enough has been brought against the President to make an otherwise harmless attempt to convict and remove him seem reasonable and justifiable. People say to themselves that if impeachment involves no more disturbance to the body politic than this impeachment has so far caused, the House cannot be very much blamed for trying it, even if it results in nothing. So that even if the party has been unwise in taking the matter up, it has more than atoned for its want of wisdom by its manner of conducting the process.

If, therefore, Mr. Johnson should be acquitted, his acquittal would probably be ascribed rather to the fair-mindedness and freedom from party passions of the majority of the Senate than to the weakness of the Managers' case—or, in other words, to the groundlessness of the attack upon him—and would, therefore, do the party little injury in reputation. If this be true, of course it has already escaped its greatest danger. It is a great deal to be sure of coming out of so delicate and dangerous a process without actual damage. Of course an acquittal would, on the surface, seem equivalent to a confession that Mr. Johnson was right, and the Congressional majority was wrong, in their long controversy; but nobody who has followed the case is likely to fall into this error, and the Senate might easily disabuse the minds of those who have not, by attaching to their verdict an expression of their opinion as to the strength of the case which the Managers have made out. At least three things appear in the evidence which we all

knew before, but which Mr. Johnson has shown himself unable to rebut on a fair field: that he did not remove Mr. Stanton for the purpose of bringing the Tenure-of-Office Act before the courts; that he did wantonly endeavor to dissuade the Southern States from adopting an amendment to the Constitution offered for their adoption by Congress; that he did seek by foul and insulting language to bring the legislature into hatred and contempt in the minds of the people. These are serious charges. The expediency of trying the President for them at all is open to doubt, and so is the expediency of condemning him for them, considering the state of the political world, by a strict party vote; but if the Senate acquitted him on them, while expressing their opinion that they would have furnished a grand jury ground for finding a true bill against him, it might bring the party out of what two months ago seemed a bad scrape, without any perceptible harm.

On the other hand, Mr. Johnson is hardly a man to bear acquittal. His head is not a strong one, and we cannot conceive of any combination of circumstances that will be likely to enable him to put the true construction on his escape, if he does escape. He has one quality of a barbarian, and that is a total incapacity to understand a person's refraining, under the influence of either moral or intellectual considerations, from using all the power at his disposal. The prevalence of this quality at the South had a great deal to do with all that was most offensive in its prosecution of the slavery controversy, as well as with the final resort to hostilities. It has led the President, ever since his quarrel with Congress, into one blunder after another. People in Tennessee seldom keep their fingers out of an enemy's hair, their thumbs out of his eye, and their knives out of his ribs, and their tongues off his character, except under the influence of fear; and Mr. Johnson has never been able to believe the slowness, the moderation, the dislike to extreme courses, which he has witnessed on the part both of Congress and the Northern people, to be anything else. He did a great deal—in fact, *pace* Manager Butler, more than any one else—to bring about impeachment, by his always acting as if the plain reluctance of the majority to impeach was the result of terror of him and of his supporters. Such pieces of wanton insult as the message recommending a vote of thanks to General Hancock are not explicable in any other way. We greatly fear, therefore, that his acquittal would be so construed by him as to make his last end worse than his first. He probably regards the whole process against him as an outburst of party hatred against one of the best of men, and if he extricates himself from it, no matter how, he will probably ascribe his deliverance to the Radical dread of popular indignation, and plunge into his "policy" with a fiercer zest than ever. It is difficult to believe that this consideration will be without influence on the Senate. The probability that this would be the effect on him of the failure of the trial has always been one of the objections to beginning it, because it tempts and forces the Senate into taking into account what no judicial tribunal ought to take into account in determining on the guilt or innocence of a criminal—viz., the possible effect of its verdict on his subsequent conduct. We do not say that this could ever of itself have furnished a sufficient argument against impeachment; but in discussing the expediency of it, it ought to have gone into the scale along with others.

There is another reason for thinking that the public is now not only ready to forgive the party for bringing the President to trial, but will probably be disappointed if he is acquitted, and that is, that what it most disliked about impeachment was the beginning of it. Having been begun, whatever mischief it can do has been done. It is doubtful, therefore, whether people will not be sorry now if, after what they most feared has come to pass, the process does not end in getting rid of the author of all the mischief. Mr. Johnson minus impeachment is bad enough; Mr. Johnson plus impeachment would be worse still. He would not only, as we have said, put a wrong construction on his escape, but he would, knowing that he had nothing more to fear, probably take a more active part in the approaching campaign than any President has ever done before him; and it is not impossible even that he would sing songs of triumph on the stump throughout the summer. The only thing that reconciles anybody to this prospect is the looming up of Mr. Wade on the horizon. But Mr. Wade, it is right to say, has displayed, since the trial commenced, a great deal



more discretion and delicacy than was expected of him, and even promises to afford the world a shining example of magnanimity in not taking part in the final vote. He also, it is said, steadily repels all applications on the subject of places. At worst, his term of office will be too short and most of the active politicians too busy during his term of office arranging combinations for Grant's advent, to make it possible for him to do much mischief, even were he mischievously disposed, and he is too honest and frank a man to take part in any intrigues for the embarrassment of Grant's administration.

There is one result of impeachment for which we fear a good many people are looking, but for which it is extremely desirable they should cease to look, and that is, the establishment of the reign of pure truth and pure justice through the length and breadth of the land in case of Mr. Johnson's removal. So much heat of language is necessary in the present state of the world to carry on the work of popular agitation, that it is hardly ever carried on without exciting most extravagant expectations regarding the consequences of success. This has been peculiarly true of the agitation against Mr. Johnson. What with his own bad behavior and the fearful pictures of him drawn by his enemies, a great many good people have been worked into the belief that he is responsible for nearly every evil by which our society is afflicted, and that once he is removed there will be nothing but harmony and tranquillity and prosperity within our borders. Now, there is no doubt that his removal will do something to promote these things, but not very much more, we fear, than the election of General Grant next November. In spite of all we hear on the stump, human nature remains human nature, and "man," as the young ladies are taught in fashionable seminaries, "progresses by gradual stages." We say this, not by way of dampening people's reforming ardor, but by way of quickening it; by way of reminding them that the world is not made much better by occasional strokes or "jumps ahead;" that there are no political or social "pain-killers" or "ready reliefs;" that the real instruments of progress are religion and education; and that unless the removal of Andrew Johnson is followed by a higher regard for character in public servants, we shall be laughing ten years hence over the fuss that has been made about him.

#### RELIGIOUS LIBERTY IN AUSTRIA.

FROM the time of the Reformation down to our own the house of Austria, in both its branches, has been justly regarded as the main support of the Roman Church. Charles V. fought the Reformation, in its infancy, in Germany; Philip II. fought it in the Netherlands, in France, in England, and succeeded in exterminating it in his Spanish and Italian possessions; the Catholic zeal of Ferdinand II. kindled the Thirty Years' War against Protestantism, and his son, Ferdinand III., carried it on to the end; Leopold I. waged bloody wars against the Protestants of Hungary and Transylvania; Maria Theresa, in her three wars with Frederic of Prussia, struggled not only for her own right, but also for Catholic supremacy in the empire; Francis II., in the coalition wars against France, was the champion not only of the legitimate rights of kings, but also of those of his Church; and even the short fight of Francis Joseph against Prussia, in 1866, was near assuming a religious character.

There are, however, a few exceptions to be noticed in the history of the German branch. Ferdinand I. was tolerant, and his son, Maximilian II., even favorably disposed towards Protestantism; Mathias, before his accession to the throne, conspired with the Protestant subjects of his bigoted brother Rodolph; Maria Theresa, though a pious Catholic, on some occasions evinced a certain imperial independence of the See of Rome; and her son Joseph II., in his brief and brilliant career as despotic reformer, for a time almost entirely overthrew all clerical power in his empire, subjecting the Church in every respect to the laws and regulations of the state.

The attempts of Joseph, though emanating from an arbitrary, all-centralizing will, were of a revolutionary character. His levelling innovations were too numerous and too sweeping to succeed. They were baffled by the simultaneous opposition of all privileged, provincial, and national interests. While doing everything for the people, he had not called the people to aid him in carrying through his work.

His work fell from want of support. On his death-bed he acknowledged it fallen. The ancient order of things was fully and speedily restored by his humane but feeble brother, Leopold II., amidst the mutterings of the revolutionary storms from France. The conservatism of Francis and his Abithophel, Metternich, preserved that order intact down to March, 1848, when a new French revolutionary storm swept over the Continent, reached Vienna, and violently overthrew Metternich and his system. Feudal and clerical Austria was shaken to its foundations. An era of reform, more sweeping than that of Joseph, was now inaugurated by popular and revolutionary agencies.

But this change, too, was transient; the people, in their turn unaided, were not prepared to achieve the work. Want of experience in the leaders, the ignorance of the masses, dissensions and excesses, the clergy and the aristocracy, the court and the army, combined to break it down. The revolution in Hungary was suppressed with the aid of Russia. The triumph of reaction was complete. Constitutional life and religious freedom were both abrogated by decrees of the victorious young Emperor, Francis Joseph. To make this double restoration the more perfect, and the more firmly to guard it against possible new shocks, a concordat was concluded, in 1855, with the See of Rome, in which some of the most essential rights of the citizens as well as of the state were recklessly and ruthlessly bartered away for promises of clerical aid to imperial absolutism. This compact, which subjected all the subjects of Austria, and especially the Catholic portion of them, to a system of clerical supervision extending from the cradle to the grave, was regarded by the enlightened or half-enlightened classes of all denominations as the documentary personification of the most abject slavery. Against it the murmurs of discontent and the shafts of wit and sarcasm were constantly directed; wherever circumstances allowed it, it was assailed with all the weapons of unsparing invective.

"The end of this period"—to speak with Count Anton Auersperg, the immortal "Anastasius Grün"—"is called Solferino." It was followed by a few years of semi-constitutional life in Cis-Leithan (non-Hungarian) Austria, and by futile attempts to pacify Hungary, which were renewed in 1865, when the new general constitution of the empire was discontinued. The end of the succeeding brief period of vacillating and expectant absolutism "is called Königgrätz." Absolutism, propped by ultramontanism, had exhausted all its resources and carried the house of Hapsburg to the very brink of ruin. Italy was given up, the leadership in Germany seized by Prussia, bankruptcy imminent, discontent loud everywhere, dissolution threatening. Francis Joseph was made to understand the full meaning of the crisis. The only means of salvation lay in a speedy and sincere return to constitutional liberty, combined with a full pacification of Hungary, and Francis Joseph adopted it.

The past was entirely discarded. Beust, a Protestant and a stranger, was called to hold the helm formerly held by Metternich and Bach. The constitutional autonomy of Hungary was restored. Her generosity and national vanity were appealed to as in the times of Maria Theresa. A new Reichsrath was assembled, and a new liberal constitution elaborated and promulgated for the Cis-Leithan parts of the empire. An anti-Russian policy was adopted in both the Polish and Turkish questions. Liberal ministries were appointed in both divisions of the empire, the Cis-Leithan consisting chiefly of conspicuous members of the former opposition. A series of reformatory laws was proposed in the Reichsrath by this new ministry.

Three of these bills—the civil marriage law, the law on education, and the inter-denominational law—were directly aimed at the existence of the concordat, which, though virtually broken by the promulgated "fundamental laws," was not yet explicitly repudiated by legal enactments. To these new measures no opposition was expected, and none was offered, on the part of the lower House of the national legislature. Their fate in the upper, the Herrenhaus, seemed to be more doubtful. The issue of a revolution seemed to depend on the decision of an assembly consisting mainly of the highest Austrian nobility, Catholic prelates, and superior functionaries of the state. And this revolution, not as the others were, the product of one power in the empire in antagonism to all the rest, was to be the result of a harmonious action of both the government and the people, and therefore successful, and possibly permanent.

The civil marriage law was the first of the three to be debated by the Herrenhaus. The vote on it was expected to be decisive of the fate of all, the aim and tendency of the three being identical—to wit, the emancipation of the state from the control of the church. The great debate took place on the 19th, 20th, and 21st of last month. Liberal Vienna thronged the galleries and crowded around the edifice, freely expressing its approval or disapproval in half-checked acclamations and hisses. Austria, Germany scrutinized with anxiety the reports flashed by the telegraph. The discussions were dignified, thoroughgoing, and earnest, in some of the speeches, as in that of Count Auersperg, rising to an eloquence worthy of the occasion, while others, like those of Hasner, the Minister of Education, and Herbst, the Minister of Justice, were marked by rare logical strictness and acuteness. The energetic, almost threatening, declarations of the ministers, and chiefly of their president, Prince Carlos Auersperg, the overwhelming vote by which the lower House had adopted the bill, the enthusiastic sympathy of the public, the less ostentatious influence of Beust, presumed to represent the wishes of the Emperor, the natural sequence of events,—were so many weights cast into the liberal scale, in addition to the greater abilities of the liberal orators, against whom Cardinal Rauscher, the principal author of the concordat; Cardinal Prince Schwarzenberg; Count Blome, originally a Danish diplomatist; Count Leo Thun, an eccentric aristocrat; ex-Minister Rechberg, the strongest opponent of the bill, and others, seemed to struggle with the consciousness of unavoidable defeat. They dwelt chiefly on the sacredness of treaties, which, if concluded with the Pope, could not be less binding than if concluded with a railroad company; on the duty of every administration to observe compacts entered into by its predecessors, even after changes in the form of government; on the religious character of marriage; on the regards due to the sentiment of the Catholic majority of the Austrian people, to the martyr-like character of Pius IX., one of the contracting parties, and to the august character of the other, the reigning Emperor, who must not be compelled to repudiate his own signature; on the necessity, in the exhausted and still perilous condition of the state, of avoiding a conflict with the head of the Church, which might not only lead to dangerous agitations “in huts and palaces,” but also to humiliations and losses like those suffered by Prussia and Holland in similar conflicts in our century, and possibly to a general conflagration threatening the dissolution of the empire; and finally on the impolicy of cutting through, instead of solving, knotty questions, and of imitating Joseph II., whose attempt proved so disastrous a failure, or the reformers of 1848, who tried to break down the altar in order to reach and assail the throne. On their side, the advocates of the law emphasized the inalienable rights of man, and especially of the state, which can limit for a time, but not indefinitely surrender, its sovereignty; the distinction between ceding, by contracts, the property of individuals or states, and ceding, for the future, their liberty and self-rule; the absurdity of the idea of treaties like the concordat remaining eternally in force in spite of all changes of circumstances, opinions, and forms of government; the nullity of the concordat as concluded, on the part of Austria, by unauthorized, unconstitutional agencies, in a reign which began with a constitutional compact never legally abrogated; the entirely changed relations of both contracting parties, of which one has now lost all, and the other most, of its possessions in Italy; the requirements of the new constitutional system on the basis of which Austria is to be regenerated; the advantages of making the church and the state independent of each other, which would not only restore the sovereignty of the latter, but also raise the moral authority and the true dignity of the former; the often experienced uselessness of negotiations with Rome for rescinding the concordat by common consent; and the impolicy of spurning the moderate demands of the liberal portions of the Austrian people, which, if rejected, would be followed by more exacting clamors, of refusing to remove from the empire a mark of bondage which made it so unpopular abroad, or of exposing it, by compelling the ministry to resign, to a crisis of the utmost peril. These arguments prevailed, and on a second division the liberal cause triumphed by a majority of sixty-nine votes against thirty-four. In favor of the bill voted, among others: two Princes and two Counts Auersperg, Count Chotek, Prince Czartoryski, Count Degenfeld, Landgrave Fürstenberg, Lieutenant-Field-Marshal Gablenz, the old poet

Grillparzer, Count Hartig, Field-Marshal Hess, Prince Hohenlohe, Prince Kinsky, ex-Minister Krauss, Prince Liechtenstein, Count Meran, Count Potocki, Baron Rothschild, Oldgrave Salm, Chevalier Schmerling, Admiral Tegethoff, Count Oswald Thurn, Count Waldstein, Count Wickenburg, and Count Wrba, Jr.

The announcement of this result was received by the crowds in and around the House with outbursts of rapturous enthusiasm. The whole city soon became a scene of feverish excitement. In the evening it was illuminated. The prominent defenders of the law received “ovations.” Similar scenes took place in other cities of the empire. At last accounts this general current of popular enthusiasm had not yet subsided, in spite of protests and remonstrances by the clergy, in face of which the ministry, with unshaken determination, was vigorously pressing its cycle of anti-concordat laws through both houses of the legislature. The imperial sanction was expected to be given to all at once, an event which would be the definite conclusion of one of the most disastrous and disgraceful periods in the history of Austria, and would put the seal upon the novel union of the house of Hapsburg with liberty. There are still some who doubt the final consummation of this surprising metamorphosis, and many who doubt its possible duration; but so wonderfully checkered has been the political life of the Austrian empire in the last twenty years, so vital have already been its changes in the last two, and so obviously necessary has liberty become to its future existence, threatened as it is by the Pan Slavism of Russia and the Pangermanism of Prussia, that a more hopeful view seems also to be a more rational one.

#### THE BEAUTY OF AMERICAN EDITORS.

THERE are people who have laughed at it, but no one, so far as we know, has seriously set about disproving it, that we, as a people, are able, or, before the flood of foreign immigration set in upon us, were able, to jump to a greater height, come down harder, swim farther, dive deeper, hold our breath longer, come up drier, and scream louder than the British or French or Dutch, or indeed than the Chinese or the subjects of any of the more hoary monarchies. They do say that, as a general thing, we are born easier than foreigners. To be sure, this is not proved beyond doubt, likely as it looks; only one of our magazines says it. That is, as yet; even while we pen these lines it may be going into print wherever the national banner is flung to the breeze—from Alaska to a point on the coast near Beaufort, South Carolina, and across our vast country the other way; from this city or Portland to Galveston. At any rate, whether or not the proof of our exceptionally easy entrance upon life is at this present moment in process of speedy completion, no one will doubt that we die hard, nor that our lives are considerably longer than those of persons over whom is thrown the blighting shadow of thrones and bastilles. American Longevity can proudly lay her hand on statistical tables and boldly appeal to insurance offices to establish that fact. But what ought, we think, to thrill us more than any of the considerations above enumerated, is the fact that, in the matter of extraordinary personal beauty, we are superior to any race on the planet—so far as known. The British Miss Martineau, when she was in this country contemplating our free institutions, confessed the handsomeness of our leading statesmen and most prominent citizens. The same thing has been said by other women, both English and Continental European, in repeated instances; and, of course, in such a matter women are the proper judges. As regards our American women, their pre-eminency is universally admitted. They are the belles of the French court; we have known Germans to cry for them; several of them have married gentlemen from Italy, the land of ideal beauty; and, as for the English, even a Saturday Reviewer has just acknowledged that after gazing upon our women, the Englishman can understand, though he cannot commend, Hawthorne's having so low an opinion of Mrs. Bull's face and figure.

This, we say, we esteem our proudest boast. To be born easy may be no more than accident; to live long may be only to add years of feeble sinfulness to years of energetic crime, and at the best is but to increase labor and sorrow; to excel in jumping high or to be capable of holding the breath for a longer time than people of another nation is pleasant enough, and cause for satisfaction within reasonable limits, but it does not of necessity prove us morally more admirable than they, more magnanimous, wise, and good. Strength, courage, agility, intellectual greatness, may coexist with extreme wickedness; and after all there is no one, child of freedom or monarchist, who does not acknowledge goodness as the truly admirable and honorable, and regard immorality as a reproach to any nation.



Now, physical beauty, in the true sense of the word, in the sense, at any rate, in which it must be that the enlightened witnesses we have cited conceived of it, is but the fleshly manifestation of an inward, spiritual beauty. So, of necessity, the handsomest race and nation is the one with most of moral excellence, most of spontaneous sweetness and goodness, and most capacity for virtue. Foreigners, then, let us say—we do not spend too much time on the various steps of our argument,—foreigners make a serious mistake if they fancy that the content and pleasure which we Americans feel in the consciousness of the national handsomeness arise from gratified pride and vanity, or even from an artistic delight in our physical comeliness as mere comeliness. It is rather an inferential and virtuous joy and rejoicing, based on our knowledge that underlying our external graces are mines of moral beauty of which those external graces are the visible expression. Keeping this in mind, the world outside of the Republic will be able to account for our superiority in personal advantages and our complacent avowal of the fact; and will be able to account for both on a theory more just and honorable to us and less displeasing to them than the one which very likely they are holding now.

If, now, the nation which is most advanced in goodness is the handsomest, and if the American is the nation most advanced in goodness, it may well be that the two hundred gentlemen of the press who banquetted with Mr. Dickens possessed singular charms of form and feature. For no prudent man will deny the virtuousness of the editorial fraternity. For, as has been said a day or two since, by one of themselves, the editor in the United States, "viewed as a laborer in a vast field, deserves the prayers of good people in the task to which he puts his brains and his pen." For "he seeks to elevate and bless men;" and "he does elevate and bless them;" and "patiently, courteously, and genially he labors on, day and night, to give us each day that without which we could not live as communities half as well as we could survive without our meals;" and "we are making the most of our daily lives by what he gives us every morning;" and "he is still at work mining the ore and stamping the coin for our use without failure and without faltering. God bless the editor." After this there is no need of our saying more as to the American editorial character; but it will do no harm, and to some minds it will strengthen the editorial claim to the highest honors paid to unfaltering courage, to patience, to self-sacrifice for the elevation and blessing of others, to constant, genial courtesy—which may be described as Christianity made hard to one and made easy to everybody else—it may, we say, strengthen the editorial claim to such honors if we illustrate and confirm by a single particular instance the validity of the general eulogium above cited. The *Memphis Avalanche* uses this language, in welcoming to Tennessee certain editors of this city. We change the name, for among his other traits the American editor counts modesty. The *Avalanche* says: "Jackson Mulholland, Shield of the Right! Buckler of the Constitution! Champion of Truth! He is in the South. He has the admiration of brave men, the love of our women. His character is refulgent and untarnished, and he

"Stands like the sun when all around  
Drinks life, and light, and glory from his aspect."

And yet, strong as this is, probably there is not an editor in the profession who does not feel confident that, as a Shield of the Right, Mr. Mulholland would, on a fair trial, be unable, as they say in Texas, to "set him half a turn back."

The object of the *Avalanche's* praises was not, we think, present at the Dickens dinner, and we are without information as to the particular style of his indubitable handsomeness. But of those who were present we have minute descriptions by means of which we learn, as we have said, that their lineaments fitly body forth the soul of loveliness, the moral dignity which, as we see, is theirs. Quite delightful it is to think that among the very last things which Mr. Dickens saw in our country was the remarkable array of beauty described by the observer we have mentioned.

In a seat near the writer sat "one of the editorial writers on that sheet, nearly opposite Mr. Dolby. He has a handsome head of black hair, a moustache and imperial. He wears glasses, and has a happy way of making himself agreeable." Near him was an editor who is "the well-known dramatist," who has beautiful black "hair as straight and glossy as an Indian's; his features are as regular and handsome as a girl's." Not far off was the well-known editor of a handsome monthly, "a man of keen wit," "genial character," and "great executive talent." It is not strange that "his eye is famous for its beauty," and it looks out of "a head less than forty years old." Not a head of hair, for a wonder. It is very noticeable that the particular glory of beauty which seems to have affected our observer most powerfully was

that one which he would call "hirsute honors." It suggests to us an idle question as to him himself; whether, for example, he is crowned with "glossy black hair and a moderately heavy moustache and imperial of the same color;" or boasts "hair rich and black as a raven's wing, parted in the middle and curled in beautiful ringlets," while "a deep black moustache contrasts finely with his pale face;" or whether he rejoices in "dark hair, and a heavy and long, light moustache, the ends of which stand out from his face;" or prefers "dark hair, with a black beard which he confines to the under part of his chin;" or "shaves his cheeks, leaving a fine moustache and full chin-whiskers (hair of a dark brown color);" or whether, as it might be if he has passed the period of youth, "his hair is mixing grey with its darker hue," and "his moustache and side-whiskers are iron-grey;" or, as would be natural in case he is of "a fair blonde, almost childish complexion," his hair is straight and light brown, or "light hair with English side-whiskers," or "dark brown hair parted nearly in the centre." Our own belief is that he is perfectly bald. That fear occurs to the reader who notes how, as certainly as if he had been a hair-dresser, the luxuriance of the editorial locks agitates him. Here, under our eye, is as good an example of the relative value which he sets upon tresses as can be given: "This gentleman was decidedly the most impressive man in his personal appearance who sat at any table of the Dickens dinner on Saturday night. . . . His head is a massive one. . . . Add to his massive head a full, wavy mass of dark brown hair, and a very full, very long, and very luxuriant beard."

But we have no uncontrollable wish to be impertinent in our remarks. Doubtless the reporter's laying peculiar emphasis upon beards, moustaches, and hair is quite consistent with his never having been inside a barber's shop, and with his being able to sit on his back-hair when he lets it down. For of the various components of beauty—which, as has been said, we Americans possess in such combination that we are handsomer than any other collection of men and women—it is not to be forgotten that in some special traits we fall short—we may as well confess to the supremacy of the American dentist over his foreign rivals—and it is not less to be remembered that the one in which we are hardest to beat is our hair. The barber of a foreign seaport town will tell you that, of all the people of various nationalities who pass through his hands, the race most careful of its hair, which adorns it most, and takes most pains with it, is the American. Our beards are the wonder of the close-shaven European gaiours, and the admiration of such as attempt rivalry; they win us the respect of the Turk even, whose father's beard is a part of his religion, and whose own is the object of an almost sacred care. Many a deck-hand on a Western steamboat wears a moustache that a sedulous Austrian major of cavalry might envy; many a Sunday-school picnic in Massachusetts shows a rich variety of colors and textures in "heads" that would shame a Parisian shop-window full of chignons. It is not surprising, therefore, that a person taking down notes of the personal appearance of a number of American editors, intending to publish them, if he could get permission to do so; not consciously taking them for the purpose of illustrating any theory, but simply to show us what his eye saw—it is not surprising, we say, that he should have spent his strength upon the hair, moustache, and beard. To sum up the argument: beauty of hair, moustache, and beard is chief among the constituents of our national beauty; it is the good who are the beautiful; editors are best among the good; editors ought, then, to be very beautiful and pretty hairy; but it is editors whom our observer was describing; therefore he did well, and is not necessarily bald or a barber because he devotes himself with enthusiasm to hair.

No theory of national application is to be scrutinized too strictly in all its details; and no rule is without exceptions. There are unmoral, even immoral, gentlemen of the press in this country—men foul-mouthed and impudent, rather than courteous, patient, and modest; servers of party—the property of politicians, rather than Shields of the Right; innocent of knowledge, devoid of taste, without high ambitions, rather than honest instructors of the people; accepters of bribes, reckless of truth—persons, therefore, whose outside man would hardly prepossess an inspector of it. And good men may, it is not denied, be of uncomely appearance. We are pleased to notice, however, that our observer does not seek out such to gloat over the homeliness consequent on their deviations from virtue. He is as easy as possible, finding some good to say of every one. If a man is not a model of beauty he is, at any rate, "thick-set;" or he has "a full suit of black, swallow-tailed coat and all;" or he "is brother of the celebrated Orange Judd;" or he is "dressed in the most exquisite taste, having the most Frenchy look of any gentleman present;" or "no man fills a chair better;" or he "tells nice stories of actors and actresses;" or he is, "a stranger would think, a thoroughly genial companion;" or he "can be merry be-

times," and is writing a life of General Grant, or there is some other redeeming point about him.

As for our moral—we hardly know. Much logic of a close kind is as fatiguing as loose logic. If inconsequence may be pardoned for a moment, we should say that something like this would be a passably good moral: "Exercise much discretion as to the sort of man you let take a seat among your guests;" or this: "Mind with whom you eat;" or this might do: "Here 's to the press; nothing can make it disgusting but itself."

#### ENGLAND.

LONDON, April 10, 1868.

THE Irish Church is to become the great bone of political contention for the next few months or, it may be, years. The relations between the church and the state are so complicated that they cannot be summarily altered by any single act of legislation. There are innumerable vested interests which require careful handling and afford abundant opportunity for protracted party fights. If Mr. Disraeli and his party choose to take advantage of every defensive position offered by the nature of the case, they may continue the struggle for years; and perhaps the best hope for a speedy termination lies in Mr. Disraeli's character for insincerity. He may, it is hoped, be disposed once more to undertake the "education" of his party and lead them into a position from which they are at present inclined to shrink.

It must be said that the progress hitherto made does not hold out much hopes for this result. It is a satisfactory circumstance that the Liberal party have rallied upon the main point and have carried the first division by a decisive majority. They must, however, count upon a dogged opposition. The Government tactics showed Mr. Disraeli's usual acuteness, though on this occasion he went too far and rather outwitted himself. The manœuvring was instructive. Lord Stanley was first put up to effect a diversion. His high character for independence and for a certain cool common-sense has been more than once put to good use by Mr. Disraeli. Last session, for example, before the true character of the Government bill was known, he declared that Government would never consent to household suffrage, and his words were received with a confidence which would scarcely have been given to the Prime Minister. As I need not say, the confidence was deceived, and Lord Stanley's reputation was so far injured to no purpose. On the present occasion he has done himself still more harm by condescending to be turned into a catspaw. He proposed an amendment and supported it by a speech which could only mean one thing, namely, that although nothing could well be done in the present Parliament, some modifications were imperatively necessary; and by "modifications" every one understood the depriving the State Church of some part of its endowment. This equivocal line of policy disgusted the Conservatives without pleasing the opposition. Lord Stanley (whose Church sentiments are suspected of undue liberality) put it forward with a hesitating manner which disgusted his followers. Lord Cranbourne, the Tory Abdiel, denounced his former colleague's speech with extreme bitterness, declaring it to be a symptom that the Irish Church was about to suffer from traitors in office, just as the British constitution had suffered a year ago. The attempt at evading a plain issue failed; and Mr. Disraeli's ministry thereupon accepted the line of uncompromising bigotry. They practically threw over Lord Stanley's guidance, and raised the cry of "no surrender." They explained that "modifications" merely meant a different arrangement of church property within the Church, but by no means an abandonment of a single penny that belonged to it. Mr. Gathorne Hardy (Mr. Gladstone's successor in the favor of the University of Oxford) rose to something like eloquence, and certainly called out the genuine party fervor in claiming the complete sanctity of the Church property, and maintaining that any and every interference with it was no better than sacrilege. Mr. Disraeli himself was obliged to follow suit in a strange speech, mixing, after his fashion, felicitous satire with the most astonishing series of pompous paradoxes. One bit of his political philosophy is characteristic enough to be noticed. It had been said with undeniable truth that the Church of Ireland was a badge of conquest. Mr. Disraeli replied that England, too, had been conquered by Cromwell and by William III., but that no one ever said that the Constitution of 1688 was a badge of conquest, or retained any rancor against Cromwell's party. When a prime minister, and a very able prime minister, talks nonsense which would degrade a clever lad at a debating club, one cannot but fancy that he must know it to be nonsense. And if that belief be well founded, we may yet see him escaping from a creed which is too flimsy to impose even upon himself, and abandoning a position which is plainly indefensible.

Meanwhile, the threats of dissolution which had been freely used in the ministerial papers, and more ambiguously suggested by Mr. Disraeli himself, seem to have died away; and the ministry, although in a minority, will continue to struggle against the inevitable without appealing to the country. They affect to hope that the Protestant bigotry of England may still be awakened, and that the new Parliament may relieve the besieged garrison of the Irish Church. I think that their expectations will be as signally falsified as will their pleasant delusion that a lower class of society than that which now enjoys the franchise will prove to be more conservative. We shall see before long; and, meanwhile, speculations are not very useful. It is plain that the Tory party has now got into a position where the only effectual arguments are majorities. They are planted immovably in the most dogged British prejudices, and they cannot be reasoned out of this stronghold, though they may be forcibly expelled from it. At least, if Mr. Disraeli is equal to the task of inducing them to come out of themselves, he will prove himself a greater conjurer than any one has yet suspected.

The most remarkable change amongst the political leaders is still the improving position of Mr. Bright. In speaking to the Conservatives he has lately adopted an amusingly encouraging tone. He speaks to them as a father might speak to a boy unwilling to take his advice. See, he says, how naughty you were—how you refused free trade and the lowering of the franchise, and declared that they were too nasty to be swallowed. Now you have taken them you find that, instead of a nasty pill, I was really giving you something to do you good. Pray trust me, and take this one dose more! The remarkable thing is that the Conservatives seem to like this language, and have cheered Mr. Bright almost as much as his own side. When the next change of ministry takes place, Mr. Bright must undoubtedly occupy a conspicuous place.

Coming events, we all know, cast their shadows before; and the influence of a new Parliament is not equivocally felt in these questions. The Conservatives have become more malleable; they fight with the consciousness that in another year they may have to receive laws from a very different set of masters. I may notice one or two small incidents which go to illustrate the resulting change. Thus, it has scarcely been remarked that flogging has at last disappeared from the English army—at least in time of peace. The cat-o'-nine-tails has died without a struggle; scarcely a tear has been shed above its grave; and yet it was not long since it was one of the many palladia of the British constitution. Various measures have lately been adopted tending to restrict its use; but its sudden abolition has passed almost without notice. Whatever may be said for flogging from an abstract point of view, it had the plain disadvantage of forming the greatest popular argument against enlistment; and in an army which depends entirely upon voluntary recruiting, that disadvantage should be conclusive. Add the fact that the friends and relatives of floggable persons will now have a direct influence on the election of members of Parliament, and the abolition of the cat is easily explained.

Another symptom of coming changes is rather more curious. The House of Lords has suddenly awakened to the consciousness that it is rather behind the times. It has been going to sleep and doing nothing. It has not ventured for years to take any determined stand; it has thrown out a few bills which had passed the Commons, but only when they were bills about which no popular feeling was excited; in short, it has confined itself to acting in a very humble way as a drag. The natural consequence is that the attendance in the House is generally scanty. Except on a few grand field-nights, the noble chamber of the Lords is filled by less than a score of old gentlemen, who take good care to get their work over by dinner-time. In the House of Commons the benches become thin at that sacred hour, but there is always some one ready to talk even to thin benches in so powerful an assembly. No one will take the trouble to raise his voice in the utter wilderness of the House of Lords. Occasionally, it is true, a more important debate is raised by some of the legal luminaries, who rouse themselves from their dignified repose to express an opinion on some question of law; and with such men as Lord Cairns and Lord Westbury as members, supported by some of the most distinguished of English lawyers, the House of Lords may at such rare intervals sustain a comparison with the lower chamber. As a rule, it is a picture of indolent repose. I do not suppose that the disease admits of a remedy by any measure short of giving more real weight to the opinion of the House. It has been felt, however, that the scandal has been much increased by the use of proxies. When the opinion of the peers who have actually shared in a debate has been upset by the voices of those who were absent, the decision certainly loses moral authority; and the possibility of exercising their legislative influence in this way enables a large part of the peerage to pass their noble existences



with few and rare visits to the House, and to content themselves with handing over their share of legislative power to their friends. Proxies are therefore to be abolished for the future, and if a noble lord wants to vote he must take the trouble of coming to the House. Other rules of a more technical character are meant to secure a better attendance upon the committees at which private business is despatched, and it is hoped that by this means some of the most glaring scandals of our hereditary legislation will be removed.

One other reform would do more to set the poor old upper chamber on its legs, and though it was scornfully rejected in the case of Lord Wensleydale some years ago, I think it may probably be heard of again. He received a life peerage, and the House of Lords indignantly refused to allow that the appointment was constitutional, fearing that if Government could make peers for life without ennobling a man's descendants, they would have no scruple in a temporary swamping of the House of Lords. If things go on as they are, they ought to be too glad to secure an element of able men who could give some real weight to their debates. The divergence between the House of Lords and the Household Parliament is likely to be wider than that which at present exists between the chambers, and if the Upper House is not to sink even below its present insignificance, it must strengthen itself in some way to sustain competition with a popular assembly.

## Correspondence.

### THE TREATY-MAKING POWER.

TO THE EDITOR OF THE NATION:

SIR: As you have several times discussed a question, in relation to the public debt, in which it is supposed our national credit and reputation for good faith are involved, I venture to call your attention to the discussion of a kindred subject which does not seem to have attracted that careful scrutiny to which its nature and importance entitle it. I allude to the obligation of performing treaty stipulations and the supposed prerogative of the House of Representatives in such matters. Recent discussions in the House indicate that some respectable jurists entertain the opinion that when a treaty has been made by the President and ratified by the Senate, there is yet a complete and constitutional discretion in the House whether it will make the necessary appropriation to carry the treaty into effect.

Among their many great and undoubted benefits, it is one of the evils of all written constitutions that they have a tendency to limit the range of legal study and of legal views. Some of our most conscientious public men are in the habit of treating great questions of public law as if some one clause of the Constitution of the United States contained and expressed all the law in the world on that subject.

In all constitutional governments, and especially in those with written constitutions, there are two sorts of checks. One is the strictly constitutional, the positive, the expressed negative—the affirmative check distinctly provided for. The other is the negative check, the check of silence, inaction—felt not by what is done but by what is not done. Of the first kind is a disagreement of the two Houses, the veto of the President, the dissent of the Senate where its assent is required, and some judgments of the courts upon constitutional questions. Of the second kind would be the refusal of Congress, or its failure, to appropriate money, or levy troops, to carry on a war; and a more violent example would be the omission of the States to send senators to Congress, by which the operation of the Government would be suspended.

Under the Constitution no money can be paid out of the Treasury but by virtue of a law appropriating it, and no money can be either raised or appropriated without the consent and the action of the House. This has led some to the conclusion that foreign nations must be held to treat with us in view of this fact, and that, whether they have it in view or not, it confers on the House a constitutional and rightful discretion whether a treaty shall be carried into effect. This view does not embrace the whole case.

A public debt can only be created by virtue of law, or by the exercise of a power conferred by law. When created, its only effect and its only security is a pledge of the public faith, the public honor, the public sense of justice. Although created by law, it is not legally binding in the sense of being enforced by a legal sanction, or calling into activity a definite legal remedy, or being the command of a superior. The individual creditor can only petition, the sovereign creditor is remitted to the last resort.

Sovereign nations, as independent, equal, free bodies politic, have their own agencies and organs of outward manifestation to their neighbors and coequals for effecting any desired agreement. The usual form of that agreement is a treaty. The mode adopted by each for thus binding itself under the public law of the world is that part of its own exterior public law which it may make for itself and which others must take notice of, and which they are supposed to have in view when treating. The mode adopted by each for carrying the treaty into effect in matters requiring separate action, and which the treaty cannot regulate, is that public internal law, and that corresponding municipal enactment, which others are not required to consider, and cannot be held to have treated with any view to it. So much of the Constitution as regulates the making of treaties is thus specially addressed to foreign nations, while so much of the Constitution as relates to raising and appropriating money refers to all financial affairs, and as much to one public debt as to another—it is interior law.

In some countries the crown alone makes treaties; in some, as in small republics, the senate alone makes them, and in some two departments of the government, executive and legislative, are required to concur. In some, where legislative ratification is necessary, it applies only to certain treaties, as those appertaining to the public domain. Thus each selects for itself its own mode of obliging itself by treaty, and all others must notice that mode. But it would be as impracticable, as it would be unjust to one and derogatory to the other, to give to internal municipal action the effect now claimed for it in the House.

From the foregoing premises and from the Constitution, from the practice of the Government, from various judicial opinions, and from standard and approved commentaries, may be drawn the following conclusions:

In the United States the treaty-making power is vested exclusively in the President and the Senate, and a treaty made and ratified by them becomes a part of the supreme law of the land. Whether this is a wise and safe provision is a political question not now involved, but which was fully discussed in framing and adopting the Constitution.

A debt contracted or any money promise made by such a treaty necessarily occupies precisely the same position as any other public debt or money engagement entered into by law, a treaty being as much a law for this purpose as a statute authorizing a loan.

Therefore, the House has precisely the same power over such a debt, the same discretion as to paying it, that it has over the payment of the bonds for the public debt—using payment in its general sense, without reference to the question whether it shall be in gold or greenbacks. The bonds cannot be paid without an appropriation, and that appropriation cannot be made without the consent of the House.

A treaty which creates or defines the rights of certain persons in or to certain things, may and must be, on proper occasion, directly acted upon by the courts, which take judicial notice of it as a part of the supreme law of the land. But a treaty which promises that something shall be done internationally, as the payment of money, or infra-territorially, as a municipal enactment or regulation, or other matter requiring executive or political action, cannot be executed by the courts, but is a promise by one sovereign to another, with no guarantee but that of good faith, and depends upon the political department of the government for execution. The foundation of this difference between judicial and political execution is, that one affects men and things, and the other external, international obligations. But that which is supreme law for one department of the government is supreme law to the other. A president or a judge might be impeached for openly and wantonly violating a treaty or disregarding it. A legislator cannot and ought not to be arraigned for voting or not voting a particular way, but it is a question with his conscience and his constituents whether he has obeyed the law of the land.

A money promise made to a foreign government by a treaty is just as much a public debt, and rests quite as plainly on the supreme law of the land, as if it had been promised in a statute passed by both Houses of Congress, or even in an amendment to the Constitution. The question of appropriating money to pay the debt remains precisely the same, and the relations of the House to that question would be precisely the same in each case.

Finally, in most countries, as in England, the treaty-making power, embracing, of course, the power to promise whatever can be promised by a treaty, is vested exclusively in the crown; while performance of the promise, when it does not embrace mere executive action, or money is required to carry the treaty into effect, depends on the concurring legislation of Parliament. In our case the power to promise, and to put the promise on a footing with statutes and the Constitution, an effect not given to treaties in most other countries, is with the President and Senate; while House, Sen-

ate, and President must concur in performance. But non-performance, in the case of a treaty promise to pay money, is just as much a refusal to pay a debt lawfully contracted as would be the non-payment of bonds for money borrowed by authority of a Congressional statute.

To what extent we should be injured by a refusal to comply with a treaty negotiated in the way provided by our own Constitution, how much it would affect our financial standing and our diplomatic influence abroad, and how much our diplomacy would be crippled by practically compelling the treaty-making power to take, in advance, the sense of the House on all such measures, are political questions of fact which do not fall within this discussion. Similar considerations, though not in the same degree, should make the Senate very careful in declining to ratify treaties negotiated at our own instance.

BERLIN, PRUSSIA, April 7, 1868.

[We think our correspondent attaches rather too much importance to the moral aspect of the reluctance of the House to pay for Alaska. Failure to pay for it could hardly affect our financial standing abroad to the same degree as failure to pay our bonds, for the simple reason that, in the case of Alaska, if the money is not paid, the goods are returned. In the other case, we have borrowed money and spent it, and are not able to return it. Of course, if we keep Alaska and do not pay for it, it will be a swindle, and we believe a unique swindle, on the part of somebody.—ED. NATION.]

#### THE WEST IN FAVOR OF REPUDIATION.

TO THE EDITOR OF THE NATION:

Let me assure you your earnestness in fighting repudiation has by no means been expended upon phantoms. Repudiation is a scheme dearly cherished in parts of the West, and especially is it dear to the Democratic party.

Some day, if the opportunity offers, words and threats will be put in actual deeds of legislation.

If your correspondent, "S. C.," believes men in the West are too good to tamper with the national credit, I would beg to call his attention to the recent enactments of the Ohio Legislature. Do you suppose that men who, in the face of facts and the very foundation principles of a republican form of government, can disfranchise the voting colored people of this State, or snatch from the hands of students at institutions of learning and soldiers at soldiers' homes the ballot, will hesitate a moment to rob the widows and orphans as well as the rich bondholders?

From these diabolical acts let us learn a lesson on a miniature scale what the ruling party of this State will do if it ever becomes the ruling party of the United States. We certainly can have or can need no better warning. Our nation's credit can be kept good only by keeping its promises. Lenders of money will respect it when it becomes a sure and profitable investment. The United States will be able to borrow money at as low rates as other nations as soon as the rates of other investments are equally reduced. The supply certainly has something to do with the demand in this case.

If we can receive eight or ten per cent. on deposits and twelve and fourteen on safe loans, we certainly should be foolish to buy insecure national bonds at five and six per cent. in gold. The fact is, the United States is borrowing money cheaper to-day than any other nation, if we consider the rates of interest usual in the West. Repudiation ought to be sounded from the East; but there is no denying it, it is a child of the West.

In the midst of this corruption of the Democracy it behooves all to watch with an eagle eye the next Presidential election, and as far as possible to put the right men of principle in important places of public trust.

Yours very truly,

J. S. PALMER.

GREENVILLE, O., April 23, 1868.

#### DISHONESTY IN OFFICE.

TO THE EDITOR OF THE NATION:

Referring to my letter in the *Nation* of April 16 and your note thereto, I beg to state that in expressing a desire on the part of the West to see the "management of the revenues committed to honest men," I did not intend to make personal allusion to the Secretary of the Treasury, nor to any individual whomsoever. I believe with you that Mr. McCulloch is both honest and capable; and I believe that a large majority of his subordinates are worthy of the same commendation.

Yet I propose to justify the words quoted above, as follows:

The distillation of spirits was for many years an important part of the

business of this city. In 1860 there were seven distilleries running here; capital invested, \$700,000; annual product, 5,000,000 gallons; value of annual product, about \$1,500,000. There are now eleven distilleries here in running order; capital invested, say \$1,000,000; annual capacity, 8,000,000 gallons; value of legitimate annual product, exclusive of tax, about \$2,500,000. But not one of these establishments is in operation; most of them have been closed for over two years; thousands of barrels of spirits are lying here in bonded warehouses, the owners not being willing to pay the tax and put them upon the market. The tax is \$2 per gallon; the market price, tax paid (!), is \$1 65.

Let us assume the cost of carriages manufactured in New Haven to be \$500; and let us suppose a law enacted imposing a tax of 600 per centum on carriages; the proper value of a carriage would then be \$3,500. If afterward new carriages should be everywhere offered for sale at \$2,500, each bearing a revenue officer's certificate that \$3,000 tax had been paid on it; if New Haven makers closed their shops, as they would be compelled to do in such a case; and if some one, in view of these and similar facts all over the country, should say that a wish prevailed at a certain point of the compass to have the "management of the revenues committed to honest men," where would be the harm? The phrase is unobjectionable, I think, provided "management" be taken distributively, as applicable to all concerned in carrying out the revenue laws.

Not to make a longer digression from my original subject, repudiation, I heartily approve your views as to the need of a general reform in the civil service, of which the management of the revenues is but a branch, and so close.

S. C.

PEORIA, Ill., April 23, 1868.

#### THE GREAT TREES OF CALIFORNIA.

TO THE EDITOR OF THE NATION:

The age of the *Sequoia* (misprinted *Sequoia*) is greatly overstated in your interesting article in last issue. The rings of annual growth have been repeatedly counted on the stump of the giant which was cut down in the Calaveras Grove in 1853, and alluded to in your article as the "Old Maid." They do not exceed 1255, but as a portion at the centre is decayed, it is safe to say that the age of the tree was not less than 1300 years, nor was it probably much, if at all, older than this. Hooker and other early writers were led into a very natural error respecting the age of these trees from counting the rings in a section cut from near the outer diameter and from the number of rings in a foot of thickness, computing the number for the radius of ten or fifteen feet. This mode of computation overlooked the important fact that the rapidity of growth greatly diminished as the age of the tree advanced. Hence fifty years in the first century of the age of one of the monarchs of the forest occupied as much space on the radius as two centuries or more near the outer circumference. Moreover, it is a curious fact, but natural enough, that these annual growths make a sort of meteorological register, chronicling the more or less favorable seasons of growth, corresponding to periods of extreme drouth or to very favorable seasons. Thus, several rings in succession are of about identical thickness, indicating a uniform condition of growth; then may follow one or two of remarkable magnitude, and again several of very noticeable narrowness, one or two perhaps indicating a period of almost entire rest. It would be both curious and instructive to compare these natural records with known periods of extreme drouth and rainfall, of which several have been observed since the occupation of the country by Europeans, about ninety years. Should such a comparison show coincidences with these known meteorological epochs, starting from a given date, as 1853, when the Calaveras tree was felled, it would be easy to fix the exact date of all periods of greatly diminished or increased growth, and from these data possibly some law of succession in the order of such events might be evolved.

The diameter of the particular tree in question, at the base, is said to have been 30 feet before the bark was removed. A portion of the shaft now resting upon the ground was six feet above the roots, twenty-six feet through, also without the bark. This tree was cut down by the use of large augers boring holes as close side by side as possible, the labor of five men for twenty-five working days being required to accomplish the work. No other of the big trees in either the Calaveras or Mariposa Grove has been cut down. The "Mother of the Forest," also in the Calaveras Grove, was stripped of its bark for 116 feet upwards from the ground. This tree is now dead, of course, the scaffolding by which the perilous work of removing the bark was accomplished still standing, and thus denuded measures 78 feet in circumference and 327 feet in height. It was a section of the bark from this tree which was shown in New York in 1853-4, and which



was afterwards set up at Sydenham Palace, London, where it was destroyed by fire.

All the trees of notable magnitude in the Calaveras Grove have been named by various visitors, some of them absurdly enough, from various statesmen and persons of local fame, while others bear the names of WASHINGTON, BRYANT, LONGFELLOW, etc. One group is distinguished by the names of TORREY, GRAY, and DANA, neatly engraved on tablets of marble attached to the shafts, twenty feet from the ground; and with equally good taste another group carries the names of HOOKER, LINDLEY, and HUMBOLDT.

A very erroneous notion has obtained credence that the number of these gigantic trees in California is very restricted. On the contrary, they are found in great numbers at a certain elevation of from 5,000 to 6,000 feet or more, all the way from the Calaveras Grove, near Murphy's, southward into Tulare County, over a hundred and fifty miles in extent, dotted here and there among the stately "sugar pine" and magnificent spruce trees. The observations of Messrs. Brewer, King, and Gardner, of the Geological Survey, have added greatly to our knowledge of the geographical range of this magnificent tree, while the superb photographs by Watkins, of San Francisco, have made the portraits of the grizzly giant and other "wood gods" of that region familiar to many both here and abroad.

There is a curious sort of tannin surrounding the minute seeds of this gigantic Sequoia, which is perfectly soluble in water, giving a fine reddish-purple ink, which flows well from the pen. This substance has never been chemically examined. If the mustard seed was deemed worthy of mention for minuteness as compared with the plant which grew from it, what will be said of the seed of the Sequoia, which hardly exceed in magnitude those of the mustard! The cones of this conifer are rarely over two inches in length by one inch in diameter.

ONE WHO IS PERSONALLY FAMILIAR WITH THE FACTS.

## Notes.

### LITERARY.

MOORHEAD, SIMPSON & BOND announce "Alethitheras; or, Travels by Land and Sea"—a satirical work, of which the author's name is not given.—Charles Scribner & Co. announce a novel, entitled "Margaret: a Story of Life on a Prairie Farm." It is by a new American author.—Mr. Lawrence Kehoe, our readers will be glad to hear, intends issuing a volume of the later poems of Aubrey De Vere—the best of Ireland's recent poets, and to Protestants as readable a Catholic author in poetry as Newman is in prose.

—Messrs. Leypoldt & Holt have put Fritz Reuter's "In the Year '13" into cloth, and Mr. Bristed's "Interference Theory of Government" into paper, for the reason that the one deserves more than a transient reading, and the other more than a limited circulation among those who would choose to pay a dollar for it in cloth. We have already indicated why we should be very glad of an extensive sale for both these books, which of course belong under very different categories. The novel with the awkward title is one of the most artistic and pleasing bits of history to be found, we think, in any literature. Mr. Bristed's pamphlet is valuable for the freedom and independence which he generally brings to the discussion of any subject, and for its drawing attention to certain tendencies of our society which need to be seriously considered in the light of all attained and attainable experience, whether Mr. Bristed is right or wrong in opposing them. A new and revised edition within the means of almost everybody ought not to lie long unsold on the shelves of the publishers. The same house have issued a cloth-bound edition, in four volumes of the well-known Tauchnitz size, of the sermons of the late F. W. Robertson. In this pretty edition four books, eminently fit for companions, put on a most companionable appearance.

—The success of Fletcher and Kidder's "Brazil and the Brazilians," lately reviewed by us in its sixth edition, and now issued in its eighth, is merited, if only for the pains which the editors take to keep the book abreast of the progress of the Empire, and so maintain its value both as a guide-book and a history. In their present preface they call attention to the two great commercial reforms by which the Amazon has been opened, since Sept. 7, 1867, to the flags of all nations throughout its course, and the coast trade likewise from Pará to Rio Grande do Sul. "The result of the new policy is beyond the most sanguine expectation. The exports and imports of Pará for October and November, 1867, were double those of 1866," and greater developments may of course be expected. Emigration, too, say the editors,

is getting systematized, and, with all the mistakes that have been made and false anticipations indulged, "many Southerners have succeeded and are succeeding in Brazil." The number of slaves has been diminished 1,600,000 since 1853, leaving 1,400,000 to be emancipated ere long. An important aid to abolition is the direct taxation which the Paraguayan war has rendered compulsory. This conflict "has done more to give Brazil a national feeling than any event since 1822," and its "history and aims have been more persistently misrepresented than those of any other war of modern times," our civil war excepted. Passing from which to coffee and cotton, the editors report, as Agassiz has done, the prizes awarded to Brazil for these products at the Paris Exposition, where also the drug *Guaraná* attracted much notice as an anti-febrile remedy. Prof. Laboulaye has offered to write an introduction for a French translation of this work.

—Dr. Francis Lieber, whose works on political science are well known, has lately circulated a very brief and compact essay on "The National Polity as the Normal Type of Modern Government." His main thesis is that the national polity is to our own epoch what the feudal system was to the Middle Ages, and, under certain conditions, the city-state to antiquity—the characteristic form of the political development of the period. Connected with the national polity, he remarks, as characteristic of the modern epoch, "the general endeavor to define more clearly, and to extend more widely, human rights and civil liberty;" and further, the flourishing at one and the same time of many leading nations, each independent, yet together forming a community of nations under the restraint and protection of the law of nations, and in the bonds of a common civilization. The thought is not altogether novel, but it is one that deserves more attention than it has yet received from political students. The development of the national polity and the community of nations are not only marked features of the improvement in human relations in recent times, but indicate the growth of political and social conditions under which the progress of mankind is likely to become much more rapid, secure, and uninterrupted than in previous historical ages. It is worth noting that the word "nationality," which for the past twenty years has had so prominent a part in political discussions, is now used with a significance altogether different from its original meaning. A good definition of "nationality," in a political sense, is much needed. M. Cochet, in a paper on "Nationalities" in the *Revue des Deux Mondes* for August, 1866, ascribes to Madame de Staël the first use of the word in French in its modern meaning. We doubt if it is to be found used in its political sense in the works of any English author of repute, before the revolutions of 1848 brought it into European diplomacy.

—A bill has been introduced in the California Assembly projecting a university system on a more symmetrical and comprehensive scale than that of any of the older States of the Union. We gave in our last volume some account of the proposed voluntary disincorporation of the College of California in favor of the Agricultural College, when the latter should fairly come into existence. The bill provides for a State College of Agriculture, which is to be established first in order, a State College of Mechanic Arts, a State College of Mines, a State College of Civil Engineering, and perhaps others of a kindred nature; along with a State College of Letters, Colleges of Medicine, Law, etc., etc., all under the head of a State University. It is also wisely arranged that other colleges now or to be established may be affiliated with the University, the President of which will be *ex officio* a member of their faculties. Students may be received from them, examined, and awarded degrees for proficiency in either general or special branches of learning. A Board of Regents, twenty-two in number, will constitute the government of the University, embracing the Governor of the State, the Lieutenant-Governor, Speaker of the Assembly, State Superintendent of Public Instruction, President of the State Agricultural Society, President of the San Francisco Mechanics' Institute, eight members to be nominated by the Governor, and eight chosen by the foregoing fourteen. The endowments in land and money are already very large.

—Many of our readers must have met M. de Chabrol, a French gentleman of a Legitimist family, but in politics a Catholic democrat of the Montalembert school. He made a long visit to this country a year ago and devoted himself to a very careful examination of "our institutions," a task for which he was unusually well prepared both by nature and education. He has, since his return to France, published in the *Correspondant*, a Catholic monthly review, a very interesting paper on the "Political Parties in the United States," containing the result of his researches. The earlier portion of it, in which he sketches the history of the great political parties is exceedingly clear and accurate, and his statement of the immediate causes of the rebellion and of the condition of the political world since the close of the war displays not only great skill in arrangement, but a great deal of

insight. In describing and explaining what he himself saw he is for obvious reasons less successful, and has frequently given way to that passion for generalizing which is the besetting sin of French political writers. For instance, it will pain the *Tribune* to hear that when Horace Greeley went bail for Jefferson Davis "more than six thousand subscribers at the Far-West at once stopped their paper." We ourselves, we confess, were not aware that one reason why the Irish are generally Democratic is that their love of city life and of the profession of "longshoremen" makes them friends of foreign commerce and therefore of free trade. It will also be new to "all the most distinguished writers of the North," that they write for the New York Loyal Publication Society; and to the Harvard professors, that "during the war they wrote a series of articles which they sent every week to four hundred little country papers." The essay is marked by many inaccuracies of this kind, which take away somewhat from the weight of the author's conclusions, inasmuch as it is from a mass of details, each perhaps trifling in itself, that general conclusions, either in politics or society, are formed. But it is nevertheless a valuable contribution to the literature of the war, more vigorous though less accurate than M. Laugel's, but vastly superior in every way to anything produced by M. de Gasparin.

—Among recent historical works published in Germany we find mention of Johannes Scherr's "Ein Trauerspiel in Mexico" (The Mexican Tragedy); Leipzig: Wigand. It is a judicial examination of the parts taken by Napoleon and Maximilian respectively in the subjugation of Mexico, with liberal chastisement of their priestly abettors at Rome and in the "Terra Caliente." Scherr's estimate of the character of Maximilian is said to be uncommonly just. The same author publishes "1848-1851. Eine Komödie der Weltgeschichte" (A Comedy from the World's History), in three volumes, of which the treatment is much lighter than that of the work just cited, as the titles indicate. It has a prologue, full of sharp sallies; a prelude, involving *inter alia* the election of Pope Pius IX. in 1846, and the late King Ludwig's connection with Lola Montez; a development (*Entwicklung*), embracing the French Revolution in February, 1848, the infection of German liberalism, and the March revolutions in Vienna and Berlin. The second volume opens with the unravelling (*Verwicklung*), or the parliamentary contests; the third contains the winding up (*Abwicklung*), the triumph of reaction. In this dramatic form the author has great scope for reckless handling, of which he is sufficiently fond, and lays about him right and left, belaboring the priests, as before, with especial vigor.—Eduard Arnd publishes "Geschichte der Jahre 1860 bis 1867," Leipzig: Duncker & Humblot. He had previously contributed to Becker's "History of the World" the history of the period 1848-1860, so that his present work is a direct continuation of the former, although other editors are now charged with the completion of Becker. Arnd's work is meeting with a lively sale, and is heartily commended for its clear exposés, sound judgments, and sure-sightedness.—Engelmann publishes at Leipzig the third volume of S. Sugenheim's "Geschichte des deutschen Volkes und seiner Cultur von den ersten Anfängen historischer Kunde bis zur Gegenwart" (History of the German People and its Civilization from the beginning of historical knowledge to the present time). The first volume extended to Charlemagne, the second to the downfall of the Hohenstaufens; the present ends with the rise of modern history (1273-1477). The work is to be completed in three more volumes, and the author, by expressing his contempt for those who attempt great things without finishing them, seems to imply a determination to carry out his programme at all hazards.

—The *Deutsches Wörterbuch* of the brothers Grimm began to be published at Leipzig in 1852. It was to contain every word used in German literature from Luther to Goethe. Ten years were consumed in completing the first three volumes; the fourth and fifth are yet incomplete. Five years were required to produce Parts I. and II. of Vol. IV.; four years for Parts I.-VII. of Vol. V., which begins with the letter K. Part VII. has but just been published by Hirzel, and contains only so much of the vocabulary as is included between the words "Knirren" and "Kommen." R. Hildebrand has the eighth part in hand, and K. Weigand, at Giessen, the third and fourth of Vol. IV. These three, the publishers announce, will soon be through the press; but it is feared that nothing short of a national adoption of the undertaking will infuse into it life enough to encourage subscribers with the hope of seeing it completed.

—Friedrich Schmitt, a well-known teacher of singing in Munich, has published a work entitled "A New System for Learning German Pronunciation, with a New Classification of the Alphabet." The author complains that his countrymen pronounce their own language badly, and attributes it partly to the word-mangling of the nursery, partly to the defective teaching of the primary schools, and partly to the carelessness of grown-up people.

Mr. Schmitt promises by his method to correct imperfect utterance of every description, to enable Germans to acquire foreign languages with unusual readiness, and—what is most interesting to us—to enable foreigners quickly to master German.

—From the Berlin directories of 1850-1868, it appears that in the interval between these two dates the various trades of the city have increased as follows: The bakers from 313 to 723, dealers in butter from 138 to 246, coffee-house and restaurant keepers from 456 to 926, distillers from 143 to 362, fish-dealers from 70 to 100, dealers in meats from 50 to 101, butchers from 449 to 976, dealers in delicacies from 70 to 118, inns of the first, second, and third class from 110 to 172, tapsters and victuallers from 1,660 to 2,693. The shops for the sale of women's furnishing goods have increased from 12 to 32, ladies' cloaks from 26 to 72, perfumery (factories and shops) from 48 to 95, white goods (ditto) from 46 to 167, lace factories from 517 to 842, milliners' shops from 163 to 242, straw hat factories from 56 to 74, hosiery from 163 to 404. The number of architects has grown from 43 to 137, master-masons from 87 to 300, master-carpenters from 80 to 196. The dealers in drugs have increased from 26 to 111, bankers, exchange and stock brokers from 143 to 297, machine-builders from 53 to 174, opticians from 153 to 393, tobacconists from 64 to 199, tobacco shops from 460 to 776. The breweries alone do not share the general increment having fallen from 45 to 43, in spite of the well-known fact that the people of Berlin drink more beer than ever. But in this case the larger establishments have absorbed the smaller.

### TENNYSON'S NEW POEM.\*

MR. TENNYSON'S long-rumored poem of "Lucretius" has just been published, and seems tolerably successful. Its story is briefly this: Lucretius is the Roman poet of that name, who sang of "primordia," atoms, "semina rerum," the first beginnings of things, putting into eloquent verse the speculations of Epicurus and Epicurus's predecessors. His pre-occupation in study and in his poetic art seems to his wife, Lucilia, to be caused by a failure in his love for her, possibly by an improper love for some other woman. She therefore procures and gives him philtres. The effects of the "wicked broth" are described—not very happily, although in part of the description there is a suggestion of the way in which Shakespeare's "juice of cursed hebenon" operates upon the blood of old Hamlet. In verses, one of which is appropriately and one meaninglessly rough, we are told that it

"Confused the chemic labor of the blood,  
And, tickling the brute within the man's brain,  
Made havoc among those tender cells."

Under the effects of the drug the poet loses his "power to shape," loathes himself for his new-born sensuality, and finally commits suicide in disgust and despair. The most of the poem is a raging soliloquy, in which Lucretius, who has just risen from a couch troubled by base dreams, recounts what he has endured in sleep, and argues himself into a determination to end a life never too dear, and now beastlike and therefore hateful. At first, in his dream, it seemed that "a void was made in Nature;" not the "vacuum" which is insisted upon in the "De Rerum," the philosophic void which had exercised so much of his thoughts; but he beheld Nature with

"All her bonds  
Cracked; and I saw the flaring atom-streams  
Raining along the illimitable Inane;"

and flying on to make new and still new "frames of things" for ever and ever, without stop or end. That, he says, he could believe to be his own dream, proper to him as a supporter of the atomic theory of creation, just as the sleeping dog—in "Locksley Hall," also, we have this fact noted, with less of a Lucretian fulness of language—

"With inward yelp and restless fore-foot plies  
His function of the woodland."

But soon the aphrodisiacs in the philtre begin to ply their function. The confusion of all things in nature may be supposed to have suggested to the mind of the dreamer the whelming of all political and social order in the horrors of Sulla's rule; Sulla, at any rate, comes into the dream, and all the blood shed by the dictator appears to be raining down from heaven; but when it strikes the earth, there spring up not the armed men of the Cadmean fabulous tale, but "girls, Hetairai, curious in their art, hired animal isms," who harass the sleeper. After these there came a dream of Helen, the great type of such creatures, Helen, of whom Marlowe said, "The face that launched a thousand ships"—ships carrying heroes to the destruction of Troy; and of whom Tennyson's "Lucretius" imitatively says, speaking of her breasts:

\* "Lucretius. A Poem. By Alfred Tennyson, Poet-Laureate." 1868.



"As I stared, a fire—  
The fire that left a roofless lion  
Shot out of them and scorched me."

Having made an end of his dreams, he goes on questioning if these torments of visions are not the vengeance of Venus upon him, because he would not that sacrifices should be offered her. Yet in the proëmium of his poem, he reminds her, he invokes her, and pays her worthy honor. Not, indeed, as she is in the conceptions of the vulgar mythology, but as he conceives her, the all-generating, genial heat of Nature, which shows itself in this and that and this other thing—"which things appear the work of mighty gods." The word "work" reminds him of his own, and he declares he had meant, before he finished it, to prove "that gods there are, and deathless." While he talks he sees, new-risen, "another of our gods, the Sun"—Apollo, Delius, Hyperion, what you will. It is but a fable, he says; there is no godship in the sun, which sees nothing, shines with indifference, knows nothing, cannot, for example, tell whether he at that moment intends suicide or to listen to Plato where he says that man has no right to dismiss himself from his post of duty, but should wait till the gods call him. But how if one believes that the gods are utterly careless of man? The drug now begins to work again, and the poet has to struggle with the suggestions of his diseased imagination. These he momentarily subdues, and then he complains of his fate that, after all his labor toward a better life, he is thus thrown into a slough he hates. Life at best was never much to him, he says; but now it has become unendurable, for he is given over to degradations he abhors. He therefore resolves to let Nature, the womb and tomb of all things, take again the atoms and blind beginnings which make up Lucretius, in order that, forcing them far apart, she may again dash them together into what new forms she will, through all her cycles of duration. He stabs himself, and his wife running in, confessing her fault with much grief, makes known the fact of the drugging. This minute or two of Lucretius's life we are left to imagine. Mr. Tennyson does nothing at all with it, though one would have thought he could not possibly have failed to seize upon it. Essentially the poem is this: A man of high character suddenly finds himself compelled to believe that for him to live longer is to live degraded in his own eyes. He will kill himself, then. For is not God merely the sum of the forces of nature?—at any rate, are not the gods utterly indifferent to man, and man a chance-collected congeries of atoms? Around this main conception various circumstances are thrown. The man is Lucretius, a writer of books from which the poem can draw a full set of arguments for a human being in the supposed position; and this it does with sufficient learning and no pedantry or obscurity. As for the thing which to this partly imaginary Lucretius makes life seem degrading, it is adequate to that end; being the continually renewing struggle between the most brutalizing of passions and the better part in human nature. The thing is set forth with what is to be called—not delicacy, perhaps; certainly, however, with moral cleanness. Even if it were done with less delicacy, still there would be in the reader's mind the constant knowledge that the virtuous man held death preferable to its presence, such was its loathsomeness to him. And as for the objection that, though it disgusted him so much that he killed himself, yet it found harborage in his mind—that it must have been in him or it could not have troubled him—that is accounted for by the poet's making the struggle due to the poisoning of his blood. It is here that the pathos of the situation, considered as personal to this particular man, centres. Of the general situation the pathos is well enough set forth; not too well; not so well that the poem is at all a great one, or more than a clever, learned, well-finished one. But the pathos of the situation in which we see the individual Lucretius is great; he is really a good and great man fallen a prey to a mean accident. We doubt if it was not merely the necessity of accounting for such a struggle in such a man that made Mr. Tennyson bring in Lucilla and her philtres, and yet, as it seems to us, it is not Mr. Tennyson's revivification of a philosophic suicide under the name of Lucretius, nor his skillful weaving of the atomic theory, and so on, into his poem, nor its finish; but just this bringing in of Lucilla, that saved his work from being quite a dull one. But if he had intended her to do more than set going the conflict in Lucretius's mind; if he had seen how she and her philtres were available, could he have failed to use to the full the new element of interest given him? As the thing stands now, it is conceivable that the reader and not the writer imports into the poem the tragic interest that belongs, as one may say personally, to Lucretius, victim really of a foolish woman and a vile drug, who conceives himself the sport of cruel chance. But had the poet shown him to us when the discovery is made to him, there would then have been no doubt as to his meaning to give us all we have found, and, we being judge, we should have had a more powerful poem. But to elaborate this view fully would take more space than we have room for.

## THE MAGAZINES FOR MAY.

TURNING over the first May magazine that reached us, the most noticeable thing we came upon was a little preaching of a certain literary heresy of which *Putnam's* may, without serious misuse of language, be called the heresiarch. Not that *Putnam's* invented it and made the earliest attempts to promulgate it; several generations of men, living in unnecessary gross darkness, have arisen and passed away since it began sapping the foundations of the true faith. But we should say that, in virtue of its reputation and position, *Putnam's* is to-day the most dangerous upholder of the pernicious doctrine. "Nothing is rarer," says the literary editor in this month's "Monthly Chronicle," "than good bread and genial criticism. Critic means one who is bilious, liable to dyspepsia, aggravates it with tobacco-smoke and coffee; one who has never done his best himself and loves to think every one else has failed; can't enjoy the sunshine because it is too clear at mid-day and too misty at evening; can't tolerate a man's book because he spells Saviour without a *u*—that is what we mean by critic." And again, he says, hinting at what he thinks a true critic should be, "Why smell of chamomile when one can smell of pinks; why stare into a gutter when you can look into the sky?" Now, on the contrary, nothing is commoner than the sort of criticism called genial; and nothing is more sadly unlike good bread. The "looking up into the sky," of the kind commended, would seem to be but a futile, Millerite way of hurrying on the millennium; and beyond peradventure the hastening on of the millennium is what the critic, like all the rest of us who can or cannot write, ought to be continually laboring at. We have no doubt that the most genial of critics, in his better moments, theoretically agrees with us in this view of the critical office. But criticism of the genial kind seems to him a method to be adopted for the attainment of the end desired; it is just there that we and everybody but the bad author and the successful publisher find ourselves at variance with him. It is true that some readers are at one with him apparently; it may be are really at one with him till after thinking of the matter; and it was the thought of the kind-hearted people whom he misleads that led us to speak of the doctrine as dangerous. But state the question plainly to the readers of *Putnam's*, or any readers, and "geniality" is condemned. If I, seeking good—good of truth, good of beauty, what not—am shown in a given work good things which I had not found for myself, I am debtor to him who shows them to me as to a man who has aided me in finding what I seek. He helps me to use the means in my hands. For no other reason but for the same precisely I am indebted to the man who aids me to get what I seek by showing me that, though not contained in the work before me—book, picture, whatever it may be—it yet exists, and might have been contained in it. And, as things actually go in this world, it happens that I am far oftener indebted to the latter of these two men than to the other. For there is in man a facility of being pleased which, indulged, is fatal to excellence; and the temptation to indulge it, to stop in what ought to be our pilgrimage, to rest and be thankful and lazy by the wayside, is strong. But to do this when we have reached the pretty good—or the Pretty Good, as the typographical school of philosophers say—is, by definition, to stop short of the millennium, which is the Best. It would be long to carry our principle into detailed application, destroying this man and that man among us by way of illustration; and it would be a work of indefinite length to apply it to the various objects of even contemporary literary criticism. But we may say briefly that we look on the "genial critic," the encourager of the deadly sloth above mentioned, as practically an enemy of the race, a traitor to humanity, even when he means well, and is as honest as a man can be who keeps his mind in a hazy condition. The genial critic who sells himself to the publisher, or whom the newspaper proprietor sells, is of a much commoner kind, and his existence makes with extreme force in favor of our view of "genial criticism" in general—the honest, the partly honest, and the rankly dishonest; but we need say nothing of him. The honest one is sufficient for our purpose; his failure, speaking in a practical way and generally, has been so decided; his influence has been so bad, and so much needs counteraction, that one is tempted to lay it down as a rule that the critic's usual function is continual speech with a view of making other people hold their tongues, while the duty of the genial critic is habitually to hold his own. If any one condemns these remarks of ours as very critical, we assent with alacrity; if their newness were all, it would seem obligatory to apologize for making them. But that they are not needed nobody will say who knows how next to impossible it is to get the least help from most of our American criticism, who will recollect how much he might have been delivered from if, say twenty years ago, there had been in existence among us a school of sound criticism, even of unduly harsh criticism—any school rather than that one which used to walk out two and two, and smell the pinks and gaze into the sky, and so on, and still

is doing just that much for American literature and no more. Many thousands of us might have broken our idols a long time since if the principle asserted by the writer in *Putnam's*—and illustrated by him, as the reader of the "Monthly Chronicle" may see—had been replaced by the less feeble one.

In this number of *Putnam's* the table of contents offers us fifteen or sixteen articles, varied as regards subjects but of about equal pretensions as regards ability in the handling. Two of them are on financial questions—one by Mr. V. B. Denslow, the other by Mr. L. E. Chittenden, neither of which will teach its readers anything wrong. A plea for an international copyright law is by Dr. Prime—an article of which the same remark may be made as of the papers on finance; and to them, also, as well as to it, applies the further remark, that the average reader may very likely find it useful. An attempt to answer the question, "Fenianism—Why is it?" is made by some one who has but a very inadequate amount of information on the subject. "It may be well," most certainly, to ascertain whether Fenianism is founded on anything more substantial "than the laments of Irish poets, the romances of Irish novelists, and the declamations of Irish politicians." For the enquiry is sure to lead to a most profitable lesson, and it is an enquiry so easy that the writer of the essay we speak of is inexcusable. The testimony—delivered by Englishmen who have but recently been in the witness-box, and whose evidence ought to be fresh in memory—gives overpowering proof that for centuries English rule in Ireland was so severe, unjust, and insulting, that if the ordinary Irishman of to-day did not hate bitterly the very name of England, he would really be hardly human—a saint whom it would be almost unkind and slighting not to persecute actively. This inheritance of natural hatred the essayist leaves almost entirely out of account. And he takes too little account of the hardships of the Irish system of land tenures as a legitimate cause of Irish disaffection. "The Mississippi River," and the paper on "San Francisco," and a little article entitled "Office," may be called readable. So may "Ole Bull among his Countrymen," Of "Women and Work" the same thing is not to be said. Within the past year "woman" has become a topic which any one of any thousand magazine writers can take up and on which they can manufacture padding—that by any one as good as that by any other—of which hardly one page in a thousand ought not to be rejected. A part of the poetry of this number consists of some devotional stanzas, resembling Herbert's in a way, by E. Foxton. The rest of it is by President Hill, of Cambridge. "Choriambic" he styles it. "Hymn of Niagara" is the title, and if we are not altogether rusty in our prosody we should describe it as being in the *Metrum Asclepiadeum novum*—or *Metrum Asclepiadeum Collinum*—dicolon, tetrastrophon—composed of two choriambic trimeters, catalectic in *pyrrichium aut iambum aut spon-dæum aut trochæum*, and with a spondaic basis, followed by two verses of the same kind without a basis. Or, if anybody else has a preference for some other metre, we suppose neither we nor Mr. Hill could interpose any very effectual objection. Such is the refractory nature of English in respect to quantity!

The *Atlantic's* poetry is by Mr. Whittier and Mr. Lowell. In Mr. Lowell's verses a father, who has just come back to his house from the burial of his little daughter, rejects the commonplaces of condolence and good advice. The somewhat petulant impatience with which consolation is received by the sufferer at such a time is well expressed in the half-soliloquizing, half-conversational talk, full sometimes of tender reminiscence, sometimes of resentful replication, and again of despairing sorrow inciting to distrust of God. The last two stanzas seemed to us to hurt the poem. They made it clear that the dead who is mourned was a little child, while we had been thinking of her as a woman. Something in the sixth stanza, perhaps, was the cause of our thinking so; or perhaps the passionate tone of the love; or the weight of grief—it being so much harder when men and women are taken out of the world to admit the thought that our loss is a gain to them, than it is to think so when little children leave us. The desperation of these last two stanzas is perhaps not to be objected against them; it seems in keeping; which the phraseology, perhaps, does not wholly; "incomes from dreamland" hardly seems so. And from the two stanzas preceding the last two we, rightly or wrongly, got suggestions of another tone than that of the poem in general. It is sure enough that grief often enough plays fantastical tricks, though people who grieve in a business-like manner do not believe it; but in the verse

"Console if you will; I can bear it,"

as spoken to a well-intentioned friend, there appears to be a mingling of humor and malice, even of cruelty, that strikes us as unnatural. Mr. Whittier has a more cheerful subject. He expresses in verse as finished as Mr. Lowell's the freshness which the face of nature wears to one who has just risen from long sickness. It will please everybody.

Among the prose articles there is a bright, cheery story by Mr. E. E. Hale, with a bit of the mystification that he is so fond of, with the touch of good humored satire that is pretty sure to be found in everything he writes, and with some fearless incidentally-delivered opinions on matters of taste—concerning which, however, there is no disputing, so we say nothing. A good sketch by Mr. De Forest introduces us to a South Carolina gentleman of the old school. Apparently the story told is a true one.

Mr. J. E. Babson's article, "On a Pair of Spectacles," is too affected to be pleasant reading. Mr. Clarke's "Modern Lettre de Cachet" will startle many of its readers ignorant of the facilities which American physicians enjoy, in nine States out of ten, in the matter of shutting us up in lunatic asylums. Mr. Bayard Taylor this month visits Thuringia, and makes an article thereon, which is as good as any of his late papers, and somebody writes disagreeably about Grant—under the title of "Our Next President"—hardly concealing the unwillingness with which he acquiesces in the General's nomination. Mr. Parton's second and last paper on "Our Roman Catholic Brethren" is mainly devoted to a biographical sketch of Father Hecker, the head of the Paulists of this city. Mr. Hecker can hardly complain at finding himself depicted at full length for the public eye; apparently it was he who furnished Mr. Parton the materials for his sketch. Rather unpleasant in this view, the article is not more satisfactory in the only other view which it is of consequence to take. Suppose that the Church is going into the condition prophesied by Mr. Parton; suppose that she no longer attempts to frame a theory of the universe; suppose she gives up her pretensions of informing us of what Mr. Parton would pronounce the unknowable, of painting the abyss; suppose, in short, she no longer conceives of another world as alone what gives meaning or value to this one—does Mr. Parton imagine that then it will any longer be possible to say of her that she exists? When that breath from the other world, which is the life of the Church as she has existed in all ages, once goes out of her nostrils, the Church, as such, will vanish; that which makes her a thing to be loved or disliked, what makes her all-powerful over some minds and utterly powerless over others—all, in short, that she essentially is, will disappear when man ceases to want and she ceases to offer him a solution of the riddle of the earth. That she now does this gives her the vast machinery which she controls. When she makes her essential characteristic that which is now incidental—her instruction of men in morality—when she declares herself no longer the voice of God speaking to man of his dreaded future, but the voice of man giving other men good advice about the present—she commits suicide. Of this, all of which Mr. Hecker will tell Mr. Parton in so many words if he will ask it, Mr. Parton seems to have no notion at all.

The *Galaxy* comes to us enlarged and improved, and contains good light reading. Two or three new departments are added, and the number of illustrations is increased. The latter are from designs by Mr. W. J. Hennessy, Mr. Gaston Fay, and Mr. Winslow Homer. Mr. Fay is not seen at his best in Mrs. Linton's story; nor Mr. Homer, perhaps, in his picture of the self-willed little flirt who is to make mischief in Marion Harland's "Beechdale." In illustration of Mrs. Prescott Spofford's rather tame "wild tale of horror," Mr. Hennessy is about as usual. A fourth picture is from a Japanese drawing. We have said, we believe, that Mr. Linton is to have the general superintendence of the *Galaxy's* engraving, and that several full-page drawings are to be given each month. Of the new departments just added to the magazine one is of "Literature and Art," which begins well with a sound criticism on Swinburne's "Blake," by Mr. Grant White, who is, however, not sufficiently unkind to Swinburne, whose exhumation of Blake, for his own peculiar purposes, merits very severe rebuke. The collection of brief essays, if one may call them so, signed by Philip Quilibet, are manly and clever—more so than the title under which they are ranged would lead one to expect. His remarks on the Alabama claims have a degree of freshness which we thought that the subject had wholly lost; and the "New Hampshire Canvassers," accompanied by a rule for telling how large a majority that State is going to give at any election, is equally good. "The *Galaxy Miscellany*" is a receptacle for short articles which, except for their shortness, might as well go into the body of the magazine as anywhere else. Mr. Blot discourses to us here—native wines being his theme; and Mr. G. W. Appleton tells of the singular "Camorra of Naples," and there is some rather laborious fun by Mark Twain. The "Nebulæ" still retains its old form. Among the long articles, "Our Millionaires" will be of interest to many persons, its statement of facts constituting its only claim to respect. There are several other articles—a smooth poem by Mr. Stedman, in clever imitation of Matthew Arnold's "Thyrsis" and "Scholar's Gipse"; a sonnet by "H. H.," who is, perhaps, too constantly sentimental—though she does sentimental poems very well; more of "Words and their Uses," by Mr. Grant White; "The House and the Heart," a poem, by Mr. Sill; "The



Shadow on the Wall," a poem, by some person unknown; and "The Trumpet Saith," a poem, by Mr. C. D. Shanly. "Personalism" is by Mr. Walt Whitman, whose power of brain does not seem sufficient to make his prose remarks valuable.

*Lippincott's* for May is rather sober-sided, but good. The Talmud is talked about without great weight of knowledge or forcibleness of thought. "Dallas Galbraith" is continued; Gloucester, Massachusetts, is described not very well; so is "The Court of the Tuileries," and an ordinary "Village School in Germany." The publication in a Philadelphia magazine of the article entitled "Boston Wit and Humor," containing what the article does and no more than it does, wears a very sinister look; if Boston is placated by the gross and palpable flattery with which the essayist closes, we are mistaken. "Communication with the Pacific" relates to our trans-continental railroad, and may profitably be read by those persons who think the popular notion about the possible extent of our trade with the East is a vastly exaggerated one. Somewhat exaggerated it is, no doubt, but the writer in *Lippincott's* presents considerations that show our expectations may well be large. Artists may probably be interested in reading a memoir of the late John Neagle, portrait painter.

The *Catholic World* begins with an essay on Tennyson in his Catholic aspects—aspects which he doubtless presents. But then he has Broad Church aspects, and Ritualistic aspects, and ordinary Episcopalian aspects, and others. It is giving a sample of the essayist's critical power—which is that of about two young ladies who have just made the acquaintance of "Sir Galahad"—to say that the verse "Lie still, dry dust, secure of change," appears to him proof that Tennyson believes in the resurrection of the body. The context and his knowledge of Latin, and a recollection of the poet's habit of using Greek and Latin idioms, ought to have saved him from giving the passage a precisely contradictory meaning to its real one. A capable writer takes Professor Draper's works in hand in a very uncere-monious manner, and, not with all the scientific coolness desirable in such cases—rather, apparently, with the fact constantly before his mind that the professor's works have reached the fifth edition, and that an unscientific public is to be addressed—he shows the insufficiency of that author. The five editions are reasons why the attack should be made; and an attack on Professor Draper is to some extent an attack on the general position which is held by the forces with whom he is ranked, but it is not by triumphant victories over such champions that the citadel our polemic essayist dislikes is going to be taken or even seriously endangered. Another paper in this month's *Catholic World* that will be read with interest, is one in which a demand is made that, inasmuch as Roman Catholics pay school taxes in every part of the country, and inasmuch as they believe that it is well to teach religion—not to say the only true religion—to school children, as being immortal souls at the age of most docility, it is therefore right that they should be allowed to take a due proportion of the school fund of the various States, and support with it Roman Catholic schools. Of this question, which, we take it, is to be settled on grounds of state expediency, and which the people are under no obligation whatever to consider from any religious point of view, we are likely to hear more before we begin to hear less. We have no space here to go into anything like an examination of it. A republican state must have its children instructed; from its own right to preserve itself in existence, it derives the right to insist on education for its future rulers—that may pass as axiomatic. And the inference is easy, that if it may insist on the thing, it may insist on what is proved to be, all things considered, the best method of doing the thing, and that therefore it may justly give a final Yes or No in regard to all matters of method and detail. When we have got thus far we come to the domain where everything is to be settled by evidence as to the practical working of various systems. The burden of proving that, in the interests of good government, a change is desirable, rests upon our Roman Catholic fellow-citizens.

The most noticeable article in *Harper's*, which is as generally readable as ever, is Mr. M. D. Conway's clever essay on Disraeli and Derby. For the latter he has even less respect—or rather, in speaking of him he is less respectful—than Liberals usually. To him, an American, the Stanleys are nothing except as they are men and politicians who commend themselves to his favor; the English Liberal cannot forget that the house of Derby is a proud historic house. Of Disraeli Mr. Conway seems to entertain a better opinion than one can willingly accept as correct. In his eyes Disraeli's comparatively low origin seems to atone for his comparatively low character, and his services to the cause of democracy in England—services accidental and heartless or sincere and intended—make Mr. Conway, in whom apparently there is not much unimpassioned impartiality, forget what we are disposed to think the thorough unadmirableness of his career.

Besides this article there are three illustrated papers—one on Lady Herbert's "Cradle Lands," one on Mr. Macgregor's last cruise in the *Rob Roy*, and one by Mr. E. G. Squiers on a journey which he had made in the Peruvian and Bolivian Andes. Then, besides, we have six or eight short articles—stories and verses, pieces of useful information—some book notices better than ordinary, and the agreeable "Easy Chair." The ballet question is discussed by the "Easy Chair" in the presence of Mrs. Grundy, who, however, let it be said, is not by any means the only person who has been making severe remarks on some recent plays. To compel her to silence and confusion of face is of course not hard, especially as the "Easy Chair" shifts the issue somewhat from, and hardly addresses itself to, the special one that has been raised; but we, who are sharper a good deal than Mrs. Grundy, and, for the purposes of argument, strong in unimpeached virtuousness, may properly decline to receive the justification of the ballet in general, or of to-day's ballet when compared with that of other days, as a sufficient justification for some particular ballets and operas that certainly are demoralizing contemporary theatre-goers.

Readers of *Hours at Home* will find in this month's number a rather bad translation of the "Dies Irae," accompanied by a good deal of information about the history and contents of the poem. The writer may thank us for directing him to a discussion in regard to it which has recently—within a month or two—been going on in the *Pall Mall Gazette* and the *Spectator*. Reading it he will perhaps see fit to revise to some extent his critical opinion of the poem. Doctor Bushnell has a clever essay on "Distinctions of Color," which would do more good if so written that his audience could more easily follow his line of argument, which is of a kind that ought to seem weighty to the minds of religious men, and is to be called subtle. But subtleties treated of with the somewhat diffuse eloquence characteristic of Dr. Bushnell are of little value to most men till they have been worked over, so to speak, as many men are not able, and more men are not willing, to work them over. Professor Schele de Vere bases an essay that would displease a Frenchman on some passages in Lanfrey's "Histoire de Napoléon I."—the passages in which the free-spoken author deals with the First Consul's craftiness and unscrupulousness in the management of San Domingo and the French republican army which never returned from the West Indies. A writer new to us, George Exmouth Percy, appears with a well-written essay on "The Prose of Poets." Mr. Percy has literary knowledge evidently, and literary and other ability; but some fields of criticism he would do well to keep out of as out of miry clay. One might believe that Emerson had latent poetic gifts, he thinks, if one could forget "Bramah." Forget "Bramah"—which no one is likely to do who knows what is in it—or remember "Bramah," and we not the less have in Emerson one of the two or three best poets of our day—it is hardly necessary to say our day and country.

Besides the articles already mentioned, we have instalments of the Countess de Gasparin's and Miss Yonge's novels; there is a brief account of the Jewish colonies existing in China; Dr. Ray Palmer writes an article entitled "Home and Woman," which, as we understand it, gives a side glance at the "woman question," and which certainly is beside the real question if it is to be considered as having any reference to it; Mr. J. O. Noyes, who wrote "The Mississippi River" for *Putnam's*, writes on "The Climate of the Mississippi Valley" for *Hours at Home*. There is some poetry also, which need not be criticised particularly; the publishers went to a reputable maker, Mrs. Craik, for some of it at least, and, if it is not good, they at any rate must be held to have discharged their consciences. The same thing may be said of the publishers of the *Catholic World*, who this month get for us from Aubrey de Vere a puzzling sonnet, full of darkness, headed "Poland."

We mention "*Public Spirit: A Monthly Magazine*," in order to acknowledge the receipt of it; the *Northern Monthly*, for the purpose of mentioning an article, by Dr. George H. Beard, embodying the usual arguments in favor of the use of narcotics and stimulants, and the *Broadway*, in order to call attention to Mr. Grant White's article on copyright law, of which we may possibly speak more fully hereafter. It is worth attention, as capable of giving clearness to many people's confused notions on the subject.

*The Philosophy of Mathematics, with Special Reference to the Elements of Geometry and the Infinitesimal Method.* By Professor A. T. Bledsoe, A.M., LL.D., late of the University of Virginia. (Philadelphia: J. B. Lippincott & Co. 1868.)—This work is mainly devoted to the rationale of the various infinitesimal methods, and to a succinct and interesting discussion of the essential logic of these methods. We have discovered nothing of value essentially original in the philosophical exposition of these methods,

unless in a realistic and uncompromising application of the "method of limits" to their philosophy.

One English author, Mr. Todhunter, who ventures to ignore the question whether a variable actually reaches its limits or not, appears to be regarded by the author as an arch-heretic, because he purposely omits from the definition of a limit the words "that value which the function never actually attains." Realism would seem quite out of place in matters so technical and abstract; and to us it seems quite unimportant in the "method of limits" to consider whether an actual infinity of steps are continuously passed over in "passing" to the limit of a ratio, or whether the limits of value in the ratios of infinitesimals be only *substituted* (or understood to be substituted) for their actual ratios. Either would fully justify that neglect of infinitesimal terms in sums and differences which the method explains.

The author is undoubtedly correct in regarding the "method of limits" as the only complete rationale of the exactness of the infinitesimal calculus, but he appears to us in his discussion of this method to be more a metaphysician than a mathematician, more concerned and interested in collateral considerations on the theory than in the practice of mathematical research; and we especially dissent from his views on the causes of the difficulties which students find in the common presentations of fundamental mathematical principles. The "axioms" of mathematics are properly only axioms of an art, and only claim to be the simplest, direct, *practical* maxims for mathematical deductions, not necessarily the most *obvious* of truths philosophically considered; though they are the most extensive and useful in the *art* of mathematical investigation. This is especially true of modern mathematics, which lack and forego the rigor of the ancient geometry, because they do not so much aim at a clear philosophical comprehension of what we already know as at a trustworthy and expeditious method of discovering what we are still ignorant of. No mathematician at all familiar with the infinitesimal calculus can doubt of its rigorous exactness in dealing with abstract hypothetical problems; even though he can render no clear account of its logic. As an abstract instrument of scientific research it may be better known through its technical axioms than in its philosophical foundations.

But our author appears to have chiefly in view in his work the difficulties of the mathematical teacher, the difficulties of making the principles of the calculus understood by the student. That he greatly over-estimates the philosophical difficulties to which his work is mainly devoted we attribute to his own admirable idiosyncrasy. He clearly knows and recounts his own difficulties rather than those of students in general. Simple algebra, which involves none of these difficulties, is a stumbling-block to the very sort of minds for which he has written his book. He knows much better what he is talking about than what he is talking to. The main difficulty is not metaphysical. It does not so much consist in a lack of the evidences, for the reception of which the human reason is especially apt, as in that want of disposition and attention to which the human will, since the fall, is especially prone. We would not be understood, however, as depreciating the importance of clear philosophical views in the study of an art either in mathematics or in politics, and we believe that this most interesting account of the controversy which has engaged the attention of metaphysicians since the origin of modern mathematical analysis will be instructive as well as interesting to most mathematical readers.

## Fine Arts.

### FORTY-THIRD EXHIBITION OF THE NATIONAL ACADEMY OF DESIGN.

#### FIRST NOTICE.

CAN anything be done, by any social or artistic or critical influence, to improve the spring exhibitions of the Academy? The community has a right to expect from them a fair opportunity to judge of American painting and, to a certain extent, of American sculpture, for the previous year. It is only the spring show, of which we now greet the forty-third renewal, which pretends to any especial quality or character, or any completeness of form. The Artists' Fund Exhibitions, which would be nothing without the customary display of borrowed pictures, are of a very accidental and miscellaneous

character; the newly established winter exhibitions of the Academy, like those former autumn ones under the care of the other association, include old as well as new pictures; we go to these and to other such exhibitions to see what may offer itself, a little of this and a little of that, a Gérôme lent by one picture buyer and a Dieffenbach by another, and such American pictures as may happen in. But the spring exhibition—let us not lose sight of the fact—is meant for a bringing together of the previous year's work of the artists of our community. The time of year, whether adopted instinctively in imitation of English and French example, or chosen independently, is originally intended to suit the supposed requirements of painters, who, making out-of-door studies during the summer and shaping them [into pictures] during the winter, may be assumed to have their most important work just ready at the approach of the new out-of-door season. The fact is of interest that the May exhibition in the dreary building which fronts on Trafalgar Square, and the "Salon" held yearly in the Champs Elysées, are tolerably representative of English and of French art "of the period." When one of the younger and less known painters is absent, it is probably because his work has been rejected; when one of the more celebrated sends nothing, he is engaged upon wall-paintings or he is travelling in the East; his non-appearance needs to be accounted for in some sufficient way.

It is not doubtful that, if our Academy exhibitions could be made more attractive to the artists, they would also be more attractive to the public; if the new works of art were sent to them as a matter of course, every one contributing his most important works for the year unless absolutely prevented, the object of these collections would be more nearly attained, and the public regard for art much advanced. One reason for the unwillingness of some painters to exhibit is, no doubt, the foolishness alike of the praise and of the blame which visitors bestow upon their works; but the comparative absence from the galleries of visitors of a better class is mainly caused by the comparative slightness of the temptation to go. Why should a lover of landscape painting very much care to visit this year's exhibition? The chances are that he has seen better pictures of landscape subjects painted, too, since last spring, than the best, or than any except the very best, now in the galleries. The indifferent character of the collection as a whole keeps away those to whom pictures are familiar; and if those to whom pictures are strange and therefore incomprehensible are left alone to walk about the galleries and utter vague praise and unconsidered censure, the non-exhibiting artists are primarily to blame.

That the exhibition this year, though not necessarily worse than former exhibitions, is yet poor compared with what it might have been, may be easily shown by considering further its show of landscape painting. There is an interesting picture by Mr. S. R. Gifford, "Shrewsbury River"—not in his best style; not so quietly effective as the "Hunter Mountain," two years ago, but yet in many ways good. There are two pictures by Mr. C. C. Coleman—one of the Arch of Titus and one of an Italian hill, with olive trees; Mr. S. Colman's two pictures are both attractive, and of both we hope to speak again; Mr. Griswold's very interesting and valuable Newport picture shows his peculiar power better than it has been publicly shown since 1865. Each of these pictures contains something new; each of these painters is fairly well represented. But Mr. McEntee sends nothing that can compare with his best work of former years; Mr. Farrer's "Bear's Bath Fall" is not in his best manner, and one small landscape but poorly represents so diligent a painter; Mr. Church sends one very small and trifling picture to hang on the wall where the great and powerful "Niagara" hung not two months ago; Mr. Kensett's pictures, taken together, are more nearly a worthy contribution, but no one of them is the best he can do; and there are altogether absent J. W. Hill and J. H. Hill, of Nyack; Gay, of Hingham; Moore, of Catskill; Williams, of Boston; and Warren, of New York. On the whole, it would be safe to say that half of the landscape-painting talent in the country is absent from this exhibition. Mr. Hennessy comes from the ranks of the figure-painters to help with his landscape backgrounds in the pictures Nos. 305 and No. 387; and another powerful man, Mr. Homer, contributes a sketch; but this aid, though needed, is given to a cause too weak to profit much by it, and the lover of exhibitions must turn to the figure-painters for comfort.

The figure-painters are so few that the presence of two or three in this exhibition seems a fair representation of their art. Mr. Johnson and Mr. Hennessy demand the spectator's best attention, more, perhaps, than usual. And in portraiture there is to be recorded the welcome appearance of four heads by Mr. Page, whose most important exhibition of last December might have almost excused him from further contributions during the year.



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